Spill Prevention Control
And
Countermeasure Plan

&

MINNESOTA EMERGENCY REPONSE PLAN
(Appendix D)

Lubrication Technologies
(Previous Hallman Oil Company Location)
858 Transfer Road
St. Paul, MN

Prepared by:
Vieau Associates Inc.
7710 Computer Avenue Suite 106
Edina, Minnesota 55435

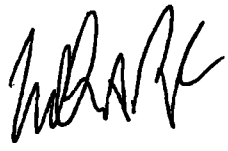
March 2005 Original
Ownership Change July 1, 2007
Administrative change to reflect ownership change December 10, 2007.

Certification [40 CFR Part 112.71

Management Approval

Full approval is extended by Management at a level with authority to commit the, necessary resources toward the full implementation of the SPCC Plan for the facility named below. This SPCC Plan will be maintained at the facility and amended as necessary.

Printed Name: Bill Boisvert, Title Division Operation Officer

Signature  Date 4/17/07

Lubrication Technologies 858 -St. Paul, Minnesota

Facility Name

Certification of Full SPCC Plan Implementation

Facility Certification

I hereby certify that the SPCC Plan for the facility named below has been fully implemented to the best of my knowledge and belief on the date shown below.

(Please Print or Type) July 1 2007

Date of Full SPCC Plan Implementation

Lubrication Technologies -St. Paul. Minnesota
Name of Facility

Printed Name: Bill Boisvert

Title: Division Operation Officer

Signature

Date Signed
4/17/09

Consultant Certification

As the fully authorized representative of the above named facility, I hereby certify that the SPCC Plan for this facility has been fully implemented on the date shown above and that the photographic evidence submitted as proof of full SPCC Plan implementation is authentic to the best of my knowledge and belief.

Martin D. Bonnell, PE Date
Minnesota Licence # 14010
Vieau Associates Inc.

Perform

Professional Engineer Certification [40 CFR Part 112.3(d)]

By means of this certification, I attest that I am familiar with the requirements of the provisions of 40 CFR Part 112, that I or my designated agent have visited and examined the facility, that this SPCC plan has been prepared in accordance with good engineering practices, including consideration of applicable industry standards, and with the requirements of 40 CFR 112, that procedures for required inspections and testing have been established and the Plan is adequate for the facility.

Lubrication-technologies "858"
~~Hallman Oil Company~~ - St. Paul, Minnesota

Facility Name

12/10/07

Martin D. Bonnell, PE

3/14/05

Date

Professional Civil Engineer
MN#14010
Vieau Associates, Inc

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LIST OF APPENDICES

1.0 INTRODUCTION

The St. Paul Oil Storage facility is owned and operated by Lubrication Technologies. The facility was constructed in 2002, to meet the Minnesota Pollution Control Agency (MPCA) October 31, 2003 dead line to upgrade aboveground storage tanks (ASTs) facilities. The bulk facility is an oil storage and transfer facility with ninety four (94) aboveground bulk oil storage tanks, one (1) 2000 diesel dike tank and four- transfer areas. The total storage capacity of the 94 aboveground petroleum tanks is approximately 933,000 gallons. Various motor oils, gear oil, and anti freeze are stored and transferred at this facility (see site facility map).

Lubrication Technologies has taken preventive measures to reduce the potential for spills, leaks and accidental discharges of oil and oil products. These preventive measures include:

- Tank Management Program
- In-House Spill Response Procedures
- Ongoing Employee Spill Response Training
- Contingency/Emergency Response Plan
- Ongoing Spill Prevention Engineering Evaluations

Lubrication Technologies has prepared and implemented this SPCC Plan for the entire facility as an additional preventive measure. Spill potential at this facility is primarily from discharge of the above described oil products. This SPCC Plan addresses spill prevention, recognition, notification, reporting, containment, cleanup and disposal procedures in the event of leaks or spills.

2.0 SETTING

2.1 Site

The facility is located in St. Paul, Minnesota. The site's location is illustrated in the site location map, and the facility site map. The site address is:

Lubrication Technologies, Inc.
858Transfer Road
St. Paul, Minnesota
(763) 545-0707

The owner's address is:

Lubrication Technologies, Inc.
900 Mendelssohn Ave. N.
Golden Valley, MN 55427

Bill Boisvert is the person responsible for the Plan implementation.

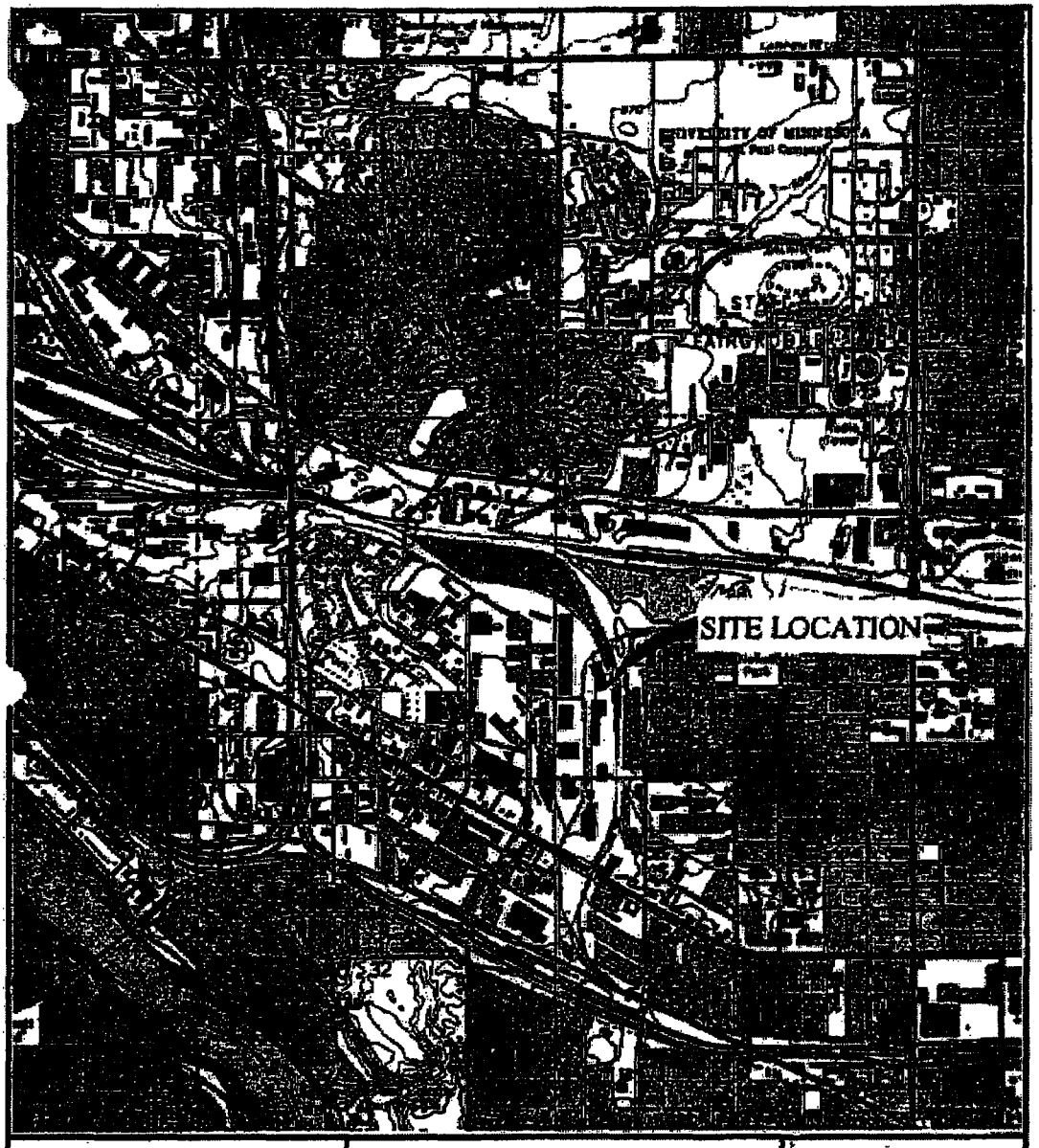
Scott Bergman is the primary contact for issues regarding this SPCC Plan. He may be reached at: 763-417-1289

The St. Paul Oil Storage facility is zoned for industrial use, and is surrounded by industrial and commercial properties. The facility is currently supplied with city water and sewer.

2.2 Area

The St. Paul oil storage facility is located on the east side of Transfer Road. The bulk facility is located on the northeast edge of the City of St. Paul approximately 500 feet west of a small pond and approximately 1-1/2 miles east of the Mississippi River.

The general drainage pattern on site is toward the east toward a storm sewer. Soil percolation, evaporation, and runoff are the most common mechanisms for moisture removal from the site.



Scale: 1"=2000'

0' 2000'

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FIGURE 1
SITE LOCATION MAP

HALLMAN OIL COMPANY
658 TRANSFER ROAD
ST. PAUL, MN

VIRAJ ASSOCIATES INC

Project No: 2006.10

Current April 22, 2009

TABLE 1
Tank Characteristics / Spill Prediction

Tank #	Volume (gals)	Contents	Material of Construction	External Protection	Level Indicators	Secondary Containment Volume (gals)	Type of Failure	Volume of Spill (gals)	Flow Direction	Flow Rate
1	10000	Antifreeze	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
2	10000	Antifreeze	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
3	10000	Antifreeze	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
4	10000	Antifreeze	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
5	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
6	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
7	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
8	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
9	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
10	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
11	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
12	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
13	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
14	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
15	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
16	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA

TABLE 1
Tank Characteristics / Spill Prediction

Tank #	Volume (gals)	Contents	Material of Construction	External Protection	Level Indicators	Secondary Containment Volume (gals)	Type of Failure	Volume of Spill (gals)	Flow Direction	Flow Rate
17	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
18	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
19	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
20	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
21	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
22	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
23	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
24	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
25	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
26	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
27	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
28	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
29	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
30	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
31	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
32	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
33	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA

TABLE 1
Tank Characteristics / Spill Prediction

Tank #	Volume (gals)	Contents	Material of Construction	External Protection	Level Indicators	Secondary Containment Volume (gals)	Type of Failure	Volume of Spill (gals)	Flow Direction	Flow Rate
17	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
18	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
19	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
20	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
21	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
22	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
23	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
24	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
25	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
26	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
27	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
28	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
29	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
30	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
31	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
32	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
33	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA

TABLE 1
Tank Characteristics / Spill Prediction

Tank #	Volume (gals)	Contents	Material of Construction	External Protection	Level Indicators	Secondary Containment Volume (gals)	Type of Failure	Volume of Spill (gals)	Flow Direction	Flow Rate
34	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
35	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
36	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
37	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
38	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
39	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
40	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
41	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
42	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
43	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
44	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
45	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
46	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
47	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
48	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
49	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
50	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA

TABLE 1
Tank Characteristics / Spill Prediction

Tank #	Volume (gals)	Contents	Material of Construction	External Protection	Level Indicators	Secondary Containment Volume (gals)	Type of Failure	Volume of Spill (gals)	Flow Direction	Flow Rate
51	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
52	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
53	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
54	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
55	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
56	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
57	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
58	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
59	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
60	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
61	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
62	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
63	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
64	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
65	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
66	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
67	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA

TABLE 1
Tank Characteristics / Spill Prediction

Tank #	Volume (gals)	Contents	Material of Construction	External Protection	Level Indicators	Secondary Containment Volume (gals)	Type of Failure	Volume of Spill (gals)	Flow Direction	Flow Rate
68	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
69	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
70	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
71	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
72	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
73	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
74	10000	Pesticide	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
75	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
76	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
77	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
78	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
79	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
80	10000	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
81	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
82	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
83	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
84	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA

TABLE 1
Tank Characteristics / Spill Prediction

Tank #	Volume (gals)	Contents	Material of Construction	External Protection	Level Indicators	Secondary Containment Volume (gals)	Type of Failure	Volume of Spill (gals)	Flow Direction	Flow Rate
85	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
86	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
87	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
88	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
89	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
90	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
91	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
92	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
93	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
94	9550	Petroleum Other	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA
95	2000	Diesel	Steel	Paint	Visual Gauge	14,485	Overfill Catastrophic	200 9500	To Containment	200 NA

3.0 REGULATORY REQUIREMENTS

The SPCC Plan satisfies the requirements of regulations presented below. This document also describes the facilities and procedures used to prevent discharges of oil, or petroleum-related materials originating at the facility from reaching any navigable waters of the United States or its adjoining shoreline.

3.1 U.S. Environmental Protection Agency (EPA)

Title 40 CFR Part 112 of the Federal Water Pollution Control Act (FWPCA), as amended by the Clean Water Act of 1977, requires owners or operators of onshore facilities that have discharged or, due to their location, could reasonably be expected to discharge oil in harmful quantities into or upon the navigable waters of the United States or adjoining shorelines to prepare, in writing, an SPCC Plan. Title 40 CFR part 112 exempts facilities from SPCC requirements when:

- Total UST storage volume is less than 42,000 gallons.
- Total aboveground storage tank (AST) storage volume is less than 1,320 gallons providing that no individual AST exceeds 660 gallons.

Title 40 CFR Part 112 establishes procedures, methods, equipment and other requirements for equipment to prevent the discharge of oil.

To satisfy the most stringent requirements of 40 CFR Part 112, the SPCC Plan must:

a. Be reviewed and certified by a registered Professional Engineer (PE). After on-site examination of the plant and familiarity with 40 CFR, Parts 110, 112 and related regulations, the PE must certify that the plan was prepared in accordance with good engineering practices.
b. Be kept current.
c. Have original document and changes reviewed and certified by a registered PE and be made available for on-site review by representatives of the EPA Regional Administrator.
d. Be reviewed and updated within six months of plant maintenance which materially affects the potential for discharge of oil or hazardous substances into or upon navigable waters.
e. Be reviewed and amended by EPA Regional Administrator as required in 40 CFR Part 112.4 when:

   - A facility has spilled more than 1,000 U.S. gallons of oil into navigable waters in a single spill.
   - Two reportable spills have occurred within any 12 month period.

f. Be reviewed and evaluated at least once every five years and amended to include more effective prevention and control technologies if:

- ❑ Such technologies will significantly reduce likelihood of a spill from the plant.
- ❑ Such technologies has been field-proven at the time of the review.
- ❑ Any amendments, except changes to the contact list, must be certified by a registered PE.

g. Be fully implemented to include required construction, installation of equipment, periodic health monitoring, and safety and occupational health training of personnel.
h. Include spill briefings for operating personnel, which will be conducted at least once a Year.
i. Have resources identified for possible use by a Regional Response Team.
j. Establish spill prevention training to be scheduled, at a minimum, once a year to prevent spills and releases.
k. Establish a spill response-training program for applicable personnel.

4.0 SPILL PREVENTION CONTROL AND COUNTERMEASURE PLAN

4.1 Purpose and Scope

The purpose of this plan is to identify potential sources of oil and petroleum-related product discharges and facilities and procedures (existing or required) to prevent and contain a spill. It is aimed primarily at the prevention of spills and surface water contamination.

To that end, this SPCC Plan addresses:

- Oil material storage and handling facilities.
- An inventory of containment vessels including location and capacity.
- Description of secondary containment and diversionary structures and drainage flow patterns.
- Procedures and methods used to prevent discharges to navigable waters.
- Procedures for operations, inspections and record keeping.
- Recommended corrective measures.

This SPCC Plan encompasses only those sites identified in December 2004 as potential spill sites.

4.2 Spill Reporting Requirements (40 CPR Part 112.4)

A spill is any discharge of petroleum product greater than five gallons. A spill event is defined as a release of petroleum, which reaches navigable waters or their adjoining shorelines in hazardous quantities. A hazardous quantity is defined as that which causes a visible sheen. When a spill or spill event occurs, the following personnel must be notified immediately:

Police/Fire/Ambulance.....911

Minnesota Pollution Control Agency 651-649-545 1
.....1-800-422-0798

Scott Bergman ..... (business) 763-417-1289
.....(cell) 612) 366-6369

When a spill event occurs, 1000 gallons or greater, the following additional organization must be notified:

National Response Center 1-800-424-8802

Two spill events of an incident 42 gallons or greater occurring within a 12-month period or a spill event of more than 1,000 gallons reaching the navigable waters or an adjoining

shoreline must be reported to the EPA Regional Administrator within 60 days of the occurrence [Part 112.4(a)] at the following address (use one of the following if applicable):

Regional Administrator
U.S. Environmental Protection Agency Region V
77 West Jackson Boulevard Chicago, Illinois 60604
(312) 353-2318

This report must include:

- Name, address and telephone number of the facility
- Name, address and telephone number of the owner or operator
- Date of initial facility operation
- Maximum storage capacity and normal daily throughput of the facility
- Description of the facility with maps and flow diagrams
- One copy of this SPCC Plan with any amendments
- Date, time, cause of incident, including failure analysis of system where spill occurred
- Name and quantity of material(s) spilled
- Assessment of actual or potential hazards to the environment and/or human health Action taken to contain/cleanup the spill; description of equipment repairs/replacements
- Preventive measures taken or contemplated to minimize recurrence

A copy of this report must also be sent to the MPCA of [Part 112.4(c)] at the following address:

Minnesota Pollution Control Agency
Tanks and Spills Section
520 Lafayette Road
St. Paul, Minnesota 55 155
(651) 296-8100

4.3 Amendments by Owners or Operators (40 CFR Part 112.5)

This SPCC Plan will be amended to incorporate any change Lubrication Technologies makes to its St. Paul Oil Storage facility design, construction, operation or maintenance that affects the potential for spills and/or leaks [Part 112.5(a)]. Any amendment will be implemented within six months after a change occurs.

This SPCC Plan will be reviewed and evaluated by facility personnel every five years regardless of whether any changes have taken place at the facility [Part 112.5(b)]. If, at that time, it is decided that more effective prevention and control measures can be taken, this Plan will be amended to accommodate those measures. Any amendment will be implemented before an improvement is deemed necessary. All amendments to this

Plan will be certified by a Registered PE [112.5(c)].

4.4 Twelve-month Spill History (40 CFR Part 112.7(a))

There have been no spill events during the past 12 months.

4.5 Prediction of Spill Quantity, Direction and Rate of Flow (40 CFR Part 112.7(b))

The major causes of potential discharges at the facility are:

- Spills during transfer operations
- Leaking tanks and piping
- Tank overflows or rupture

The main potential for release of a large quantity (greater than five gallons) of petroleum would be during an oil transfer or overfilling of the aboveground holding tanks (within building). The facility has taken precautions to help prevent a release at these locations. These include a written operating procedure for transfer operations and safety equipment (See Appendix A). Should a release occur, all the tanks are located within a concrete building with a concrete floor with metal containment walls that surrounds the aboveground tanks. The concrete building and concrete floor is impervious enough to hold product for 72 hours should a spill occur. The aboveground tanks consist of seventy -nine (79) 10,000-gallons inside tanks, fifthteen (15) 9,550-gallon inside tanks and one (1) 2,000-diesel gallon outside tank. The locations of the loading and unloading areas and the storage tanks are shown on the site facility map.

Small leaks/releases could occur from faulty valves, fittings, seals and piping. Because of the many potential sources for these types of leaks, the facility has instituted a daily walk down of facility components to prevent and reduce releases by this type of system failure. Piping inspections include all pumps, meters, flange joints, expansion joints, valves, catch pans and pipe supports. Soil staining, visible leaks, oil sheens and unusual odors are noted. See Appendix A for a copy of the inspection form.

Although the potential for a large release by failure of a tank or overfilling of a tank is not as great as in the previously discussed releases, the potential effects are much greater because of the larger release volume. In order to reduce the effects of a release of petroleum from these sources, secondary containment has been provided for the facility by locating all of the aboveground tanks inside a dike capable of containing such a spill.

Table 1 presents estimated volume, direction and flow rate of potential spills at the facility. Spill volumes were calculated from estimates of the rate at which liquid would be released and the length of time it would take to shut off the flow after the release is identified.

4.6 Secondary Containment Measures (40 CFR Part 112.7(c))

The aboveground tanks have a secondary containment system consisting of a concrete building/warehouse with a concrete floor and will have waterstop on all doors. The concrete building and concrete floor is sufficiently impervious to store petroleum products for a short period of time. The storage capacity of concrete building is over 110 percent of the volume of the largest tank contained within the dike (9,500-gallons). Assuming the catastrophic failure of the 9,500-gallon AST was to occur, the extra capacity of the secondary containment allows for a containment of precipitation if it would get into the building.

Spills at the facility have been seldom and minor. The spills are generally less than five gallons and are contained and immediately cleaned up. Sorbent materials are stored at the facility. A list of spill response equipment is included in Appendix D. These spill supplies are inventoried monthly and restocked as necessary.

4.7 Facility Drainage (40 CFR Part 112.7(e) (l) (i-v))

There is no drainage from the secondary containment since the tanks are located inside a building. The drainage from the railroad transfer area flows to the east to a storm sewer.

i. No drainage is allowed from the building, no drains control the drainage.

ii. No drains are in the containment building.

iii. The entire AST facility is located within the diked building. All drainage/run-off for areas outside of the building area remains on site and pools until it is soaked into the ground or evaporates, or runs off to a storm sewer.

iv. There are no diversionary systems on site.

v. Pumps are used for drainage from the containment building.

4.8 Bulk Storage Tanks (40 CFR Part 112, 7(e) (2) (i-xi))

The aboveground tanks consist of seventy-nine (79) 10,000-gallon tanks, and fifteen (15) 9,550-gallon tanks. The locations of the loading and unloading areas and the storage tanks are shown on the site facility map.

i. All tanks are of steel construction and compatible with their stored contents in accordance with API specifications.

ii. All of the aboveground tanks have secondary containment that is capable of containing the largest tank (9,500-gallons) with enough freeboard for precipitation. All containment zones are sufficiently impervious to stored product.

iii. Plant effluents are not discharged from the facility. Rainwater is normally allowed to evaporate within the building. If rainwater is to be discharged, the following procedures are followed:

a. Rainwater is inspected to meet water quality standards prior to discharge.
b. Portable sump pumps are placed near the east side of the building and rainwater is pump to the east.
c. The portable sump pumps are removed after discharging.
d. Records are kept of discharge events (see Appendix A).

(iv-v) There is one 6,000-gallon buried underground storage tank at this facility to contain a railcar discharge.

vi. Since the bulk tanks are constantly full of product, valid pressure testing is impossible and not allowed under NFPA 30. Tanks are, instead, visually inspected on a monthly basis and comparison records maintained. The inspection includes seams, rivets, bolts, gaskets, nozzle connections, foundation, and/or supports. An inspection form is included in Appendix A.

vii. No internal heating coils are used in the storage tanks.

viii. All aboveground tanks have visual level gauges. The gauges are tested on a daily basis with every product transference operation. Testing simply consists of observing the gauge move at the onset of transference operations. If the gauge fails to displace appropriately, product transference is immediately terminated.

ix. There are no discharge disposal systems in operation at this facility.

x. Observed oil leaks and spills are promptly corrected.

xi. All portable or mobile storage tanks at the facility are empty or inside the containment area at all times.

A complete list of all aboveground tank information is contained in Table 1. Tank locations are shown on the facility site map.

4.9 Facility Transfer Operations (40 CFR Part 112.7(e) (3) (i-v))

i. All piping at the aboveground storage facility is aboveground and does not require wrapping or catholic protection. The pipes are painted to protect from corrosion.

ii. All out-of-service or stand-by pipelines are capped.

iii. There is an aboveground piping inspection program permitting prompt detection of spills and leaks. These inspections include valves, pumps, nozzles, meters,

air- eliminators, flange joints, valve glands and bodies, pipeline supports, locking of valves, catch pans, and metal surfaces. A copy of the inspection form is included in Appendix A. The pipelines are inspected on a daily basis.

iv. All aboveground pipe supports are designed to minimize abrasion and corrosion and allow for expansion and contraction.

v. The facility will install signs warning vehicles of the aboveground piping at the loading/unloading areas.

4.10 Loading/Unloading Operations (40 CFR Part 112.7(e) (4) (i-iv))

i. Facility loading/unloading procedures meet the minimum requirements and regulations of the Department of Transportation (DOT). All drivers are trained to handle hazardous substances in accordance with state and federal DOT regulations. Records of DOT inspections and DOT documentation are kept on file at the facility.

ii. Secondary containment for the loading/unloading operations is facilitated by conducting all loading/unloading operations within the building's concrete floor which drains into a 6,000-gallon underground storage tank (UST) which is larger than the volume of the largest compartment (3,500-gallons) of a transport unloading at the facility. The RR transfer areas also drain into the 6,000-gallon UST.

iii. The facility will install signs to warn vehicles from prematurely departing before disconnecting from the transfer lines and warn of aboveground piping at the facility.

iv. Drain and outlet lines are inspected prior to filling and departure. The St. Paul Oil Storage facility has written procedures for unloading/loading product from tank trucks (see Appendix A).

4.11 Inspections and Records (40 CFR Part 112.7(e) (8))

All records of inspections are signed by appropriate personnel and maintained at the facility for at least three years. Written procedures for inspections are included in Appendix A of this SPCC Plan.

4.12 Security (40 CFR Part 112.7(e)(9)(i-v))

i. The entire facility is inside a lock building and all tank valves and control panels are securely locked when not attended as a part of operational procedure (see also parts ii-iv below). Also, the local police patrol the site on a regular basis.

ii. All master flow drain valves that permit direct outward flow of the tanks' contents to the surface are securely locked in the closed position when in non-operating or stand-by status.

iii. Starter controls on pumps are located inside the secured electrical panel. Access to the electrical panel is restricted to Lubrication Technologies personnel. The controls are locked and the power shut off when unattended.
iv. Lighting is adequate for the facility and permits discovery of spills during hours of darkness and helps prevent vandalism (facility lighting is shown on the site map).

4.13 Personnel Training (40 CFR Part 112.7(e)(10)(i-iii))

i. Lubrication Technologies provides spill response and prevention training to personnel who work with and handle oil and oil products. Personnel are instructed in the following:

- Proper operation and maintenance of equipment to prevent oil discharge.
- Applicable pollution control regulations.
- Proper procedure to follow, as outlined in the SPCC Plan, in case of an oil spill at the facility.
- All drivers are instructed in the proper handling of hazardous materials in accordance with federal and state DOT.

ii. Scott Bergman is the coordinator for the tank, drum and container management program and is responsible for enforcing this SPCC Plan and making sure that it is properly updated as necessary. He is responsible for maintaining the proper spill control supplies and for spill prevention. He is also responsible for notifying the appropriate officials when a spill occurs.

iii. Lubrication Technologies schedules and conducts periodic spill prevention training. The training includes the proper operation of the facility's equipment and insuring that personnel understand the SPCC Plan. Procedures for loading/unloading operations inventory records, spill clean-up, equipment inspections, and spill reporting would be part of this training. In addition, the management Lubrication Technologies updates all personnel on new guidelines put out by any of the regulatory agencies that are relevant to the operation of this facility.

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Appendix A

Facility Procedures

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Facility Inspection Material

Weekly Log of Line & Tank Integrity Testing (Visual)

Procedure:

Aboveground tank inspections include foundation, supports, gaskets, valves, bungs, manways, gauges, pipe connections, secondary containment deterioration, and any spills or accumulations of oil in secondary containment. Piping inspection should include condition of pumps, meters, flange joints, expansion joints, valves, catch pans, and pipe supports. Notes should be made of any leakage, unusual odors, visible staining, corrosion, rust, equipment damage, etc.

This inspection form is to be filled out monthly, and

A daily walk down of the facility will be conducted following the procedure outlined above.

Date	Location	Comments/Observations	Signature

Log of Rainwater Discharged/Run-off Inspections

Examine storm water for sheens, rainbows, oil, and other oil-related products prior to discharge. Do not discharge if any of these conditions exist. Notify management if any oil or unusual conditions are observed.

Date	Location	Comments/Observations	Signature

Use Company form

Spill Prevention Training Schedule

Date of Annually Scheduled Spill Prevention Training	Signature
TRAINING LOGS Are Kept by HR at Golden Valley	

Monthly Tank & Piping Inspection Form

Inspector:

Signature:

Date: _____ Time:

Procedure:

Aboveground tank inspections include foundation, supports, gaskets, valves, bungs, manways, gauges, pipe connections, secondary containment deterioration, and any spills or accumulations of oil in secondary containment. Piping inspection should include condition of pumps, meters, flange joints, expansion joints, valves, catch pans, and pipe supports. Notes should be made of any leakage, unusual odors, visible staining, corrosion, rust, equipment damage, etc.

This inspection form is to be filled out monthly, and

A daily walk down of the facility will be conducted following the procedure outlined above.

Tank # or Area	Contents	Location	Comments/Observations

Safety Procedures for Transferring Any Product from Bulk Tank Vehicles

1. All bulk deliveries should be made only between the hours of 8:00 a.m. and 8:00 p.m., Monday through Friday, and as authorized on Saturdays.

2. Smoking and operation of motorized or electrical equipment in the unloading\loading area are strictly prohibited.

3. Upon reaching the unloading area, the tank vehicle driver shall notify the office of his presence and where he will be unloading.

4. When unloading\loading at the fuel tank, the roadway shall be restricted to prevent excessive traffic in the unloading area.

5. All drain pipes must be closed BEFORE any loading\unloading operations can begin.

6. Before making a delivery to the tank, the driver (operator) of the tank vehicle shall determine the unfilled capacity of the tank. To prevent overfilling, he shall not deliver in excess of that amount. A maximum fill percent of 90% of the tank volume will be used as an added precaution to prevent overfilling.

7. Tank vehicle motors shall be shut down during making or breaking host connections. If unloading is done without the use of a power pump, the vehicle motor shall be shut down throughout such operations.

8. The driver (operator) of any tank vehicle shall not leave the vehicle while it is being unloaded\loaded. When attached to a tank vehicle, the delivery hose shall be considered a part of the vehicle.

9. The driver (operator) shall inspect all connections prior to leaving the unloading\loading area.

10. The driver (operator) of any tank vehicle shall have a fie-standing extinguisher with at least a # 10-BC rating within 20 feet of him while unloading\loading.

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Appendix B

Certification of Substantial Harm Determination Form

Certification of Substantial Harm Determination Form

Facility Name: Lubrication Technologies - St. Paul. Minnesota
Facility Address: 858 Transfer Road. St. Paul. Minnesota

Does the facility have a maximum storage capacity greater than or equal to 42,000 gallons and do the operations include over water transfers of oil to or from vessels?

Yes No X

Does the facility have a maximum storage capacity greater than or equal to one million (1,000,000) gallons AND is the facility without secondary containment for each aboveground storage area sufficiently large enough to contain the capacity of the largest aboveground storage tank within the storage area?

Yes No X

Does the facility have a maximum storage capacity greater than or equal to one million (1,000,000) gallons AND is the facility located at a distance (as calculated using the appropriate formula Attachment or an alternative formula* considered acceptable by the RA) such that a discharge from the facility could cause injury to an environmentally sensitive area as defined in Appendix D?

Yes No X

Does the facility have a maximum storage capacity greater than or equal to one million gallons AND is the facility located at a distance (as calculated using the appropriate formula Attachment or an alternative formula* considered acceptable by the RA) such that a discharge from the facility would shut down a public drinking water intake?

Yes No X

Does the facility have a maximum storage capacity greater than or equal to one million gallons AND within the past five years, has the facility experienced a reportable spill in an amount greater than or equal to gallons?

Yes No X

* If an alternative formula is used, documentation of the reliability and analytical soundness of the alternative formula must be attached to this form.

CERTIFICATION

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document, and that based upon my inquiry of those individuals responsible for obtaining this information, I believe that the submitted information is true, accurate, and complete.

Bill Boisvert - Division Operation Officer 4/17/09 Date

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Appendix C

Material Safety Data Sheets (MSDS)

MSDS sheets are located in the Company's computer intranet based records.

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Appendix D
Facility Contingency Plan

OIL SPILL RESPONSE PLAN

Lubrication Technologies
858 Transfer Road
St. Paul, MN

Prepared by:
Vieau Associates Inc.
7710 Computer Avenue Suite 106
Edina, Minnesota 55435

March 2005 Original
Ownership Change July 1, 2007
[redacted] to reflect ownership change December 10, 2007.

TABLE OF CONTENTS

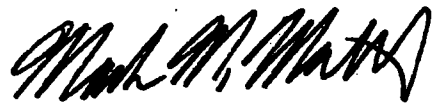
LIST OF APPENDICES

Appendix

RECORD OF REVIEW

Use this form to document that all responsible personnel have reviewed this plan and are familiar with its contents.

OIL SPILL CONTINGENCY PLAN REVIEW LOG

Date of Plan Review	Name (print)	Signature
Dec 10, 2007	Mark Mattke	

1.0 INTRODUCTION

1.1 PURPOSE

This Oil Spill Response Plan has been prepared by the Minnesota Petroleum Marketers Association (MPMA) to help member firms comply with the State of Minnesota Statutes Section 115E -Oil and Hazardous Substance Discharge Preparedness Law, also known as the Spill Bill. A copy of the Spill Bill is included in Appendix A. MPCA Fact Sheets pertaining to spill preparedness are provided in Appendix C.

The overall objectives of the plan are to:

- Prevent and prepare for spills, both small and large, at bulk petroleum storage facilities and within petroleum distribution networks;
- Help company personnel prepare for and respond quickly and safely to spill incidents;
- Ensure an effective, comprehensive response to spill incidents; and
- Prevent injury or damage to company employees, the public and the environment.

1.2 PLAN CONTENTS

This plan contains comprehensive technical and procedural information necessary for effective management of any oil spill response within the geographic boundaries of the response area of the plan (detailed in Section 1.7 below). It identifies spill response resources that can be used by this company during a response operation, describes organizational lines of responsibility and procedures to be followed when responding to spill incidents, and defines notification procedures for contacting company management and government authorities.

When properly completed and implemented, this plan will:

- Define the alert procedures and notification procedures to be followed when a spill occurs;
- outline response procedures and techniques to be used during a spill incident;
- provide guidelines for handling a large spill response operation; and
- present a detailed list of the resources available to assist with a spill incident.

1.3 REGULATORY COMPLIANCE

In addition to implementing company policy, this plan satisfies existing requirements for documenting spill response preparedness. This plan has also been prepared to meet the requirements of the U.S. Department of Transportation, Research and Special Programs Administration Interim Final Rule applicable to bulk packages containing oil, entitled: "Oil Spill Prevention and Response Plans," published in the February 2, 1993

Federal Register. This rule revises 49 CFR Parts 17 1, 172, 173, 174 and 176.

A copy of the Minnesota Department of Public Safety, Division of Emergency Management "Spill Response Plan Notification Form" has been provided in Appendix B. This form should be completed and submitted to the Minnesota Department of Public Safety, Division of Emergency Management.

1.4 FACILITY DESCRIPTION

Lubrication Technologies operates a bulk storage facility, which handles various oil products. The facility has 94 aboveground bulk storage tanks with a combined capacity of 933,000 gallons. The largest tank has a capacity of 10,000 gallons, and is used to store lube oil, antifreeze. Product is received via truck, RR and is distributed via tanker trucks.

Numerous spill prevention measures are used by Lubrication Technologies including a combination of work practices and physical controls. Work practices used by facility personnel include careful inventory control, daily inspections and monitoring of all loading and unloading operations. Secondary containment dikes have been installed around all aboveground storage tanks. The secondary containment dikes are of adequate size to hold 110% of the volume of the largest tank within the dike.

The largest foreseeable spill at the facility would be a catastrophic failure of the largest tank resulting in a 10,000-gallon release of lube oil. It is more likely, however, that the facility would experience small spills of less than 5 gallons resulting from leaks in piping, valves, pumps or as a result of loading rack spills.

Location: 858 Transfer Road, St. Paul. Minnesota

Size of Property: Approximately 300' x 300'

Site Security (fencing, lighting, etc.): Security lighting around tank area. No chain link fence is planned. Since all tanks are within a building.

Surrounding Area (ag, commercial, residential, etc.): Industrial and Commercial

Products Handled: Lube Oil and Antifreeze

How is Product Received? (explain): Product in and out is hauled by trucks and RR Cars

Storage Tank Sizes: (79) 10,000-gallon and (15) 9550-gallon ASTs

Secondary Containment: (Yes/NO) YES Adequate Size: (Yes/NO) YES

Spill Prevention Device/Practices: (i.e. inventory control, site inspections, etc.)

Mandatory attendance at loading and unloading. Daily inventory control for loading and unloading. Driver training on loading and unloading procedures

Spill Response Equipment and Supplies Available on Site: Absorption materials and materials for spills or overfills and RR Car valve plug

Largest Foreseeable Spill? (largest tank): 10,000-gallons

Most Probable Spill? (loading rack): 5 to 10 gallons hose failure

Slope of Land: (describe where spilled product would flow): Flows towards east

Additional Information/Comments: Tanks and transfer area is diked. Tanks are within building/diked. Rail car unloading has engineered spill containment; tanker trucks unloading in bay.

1.5 TRANSPORTATION NETWORK DESCRIPTION

Number and size of trucks, including compartment sizes Lubrication Technologies operates a fleet of trucks. The maximum capacity of any truck is 1,000 gallons. Products Delivered: Lube oil, and antifreeze, windshield wash and soaps.

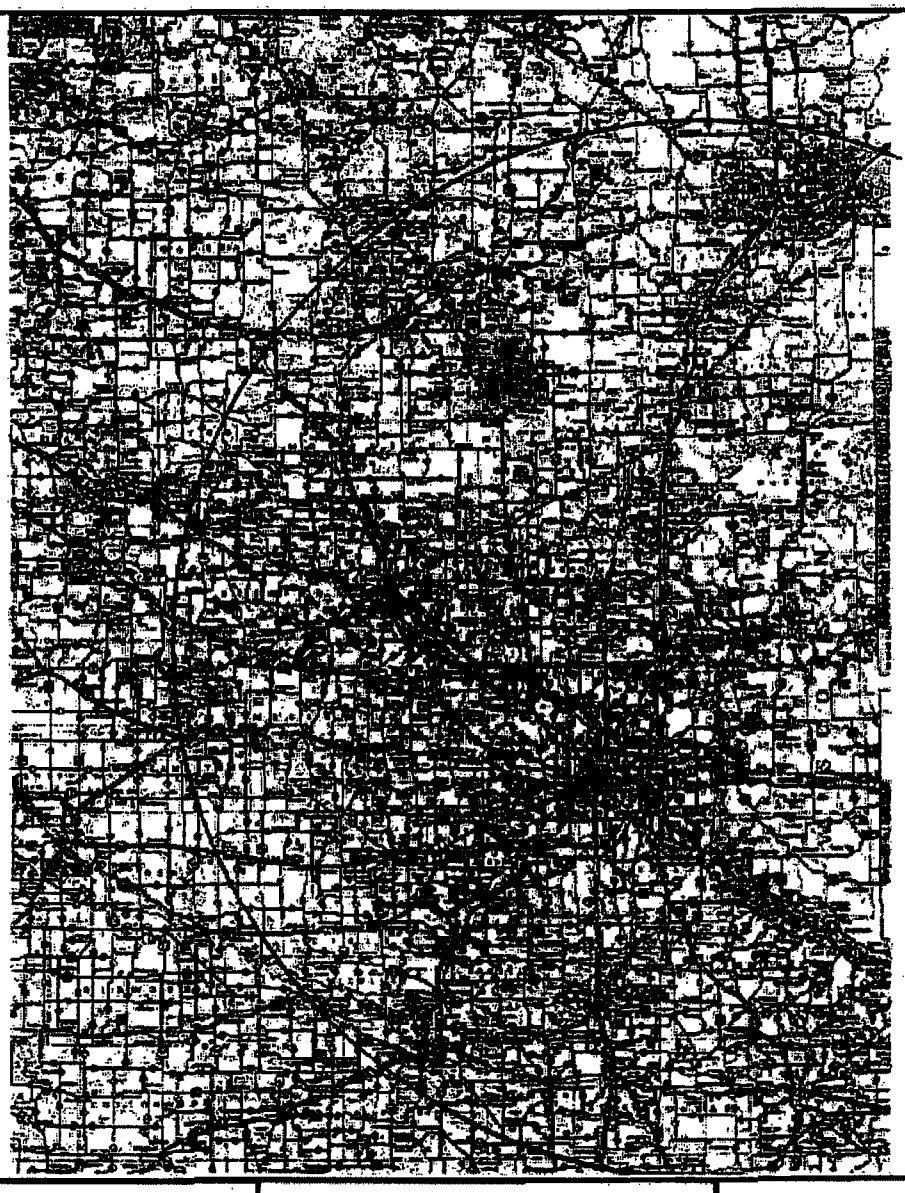
Additional Information/Comments

1.6 COMPANY PHILOSOPHY/POLICY

Oil Company will retain the responsibility and authority for direction of response operations for spills resulting its vehicles or facilities. Company management will ensure that all company personnel involved in a spill response will be familiar with their assignments and responsibilities as outlined in this plan.

1.7 SCOPE OF PLAN/GEOGRAPHIC AREAS

Description of Delivery Area: This Plan covers spill incidents that could occur at Lubrication Technologies bulk plant or during transfer or transit operations of Lubrication Technologies. The greatest amount Lubrication Technologies operation is within a 100 mile radius around St. Paul see Delivery Area Figure. The company may have 1-2 companies beyond the 100 mile radius. Lube-Tech 858 does operate across State lines. Drivers are trained to follow guidelines for a spill incident that could result from line breaks, gasket blowouts. pump seal leaks, tank leaks, explosions, fires or human error. *Include area maps and facility diagrams at the end of this section.



No Scale: N

DELIVERY AREA

HALLMAN OIL COMPANY
859 TRANSFER ROAD
ST. PAUL, MN

VEKAU ASSOCIATES INC

Project No: 2005.10

2.0 EMERGENCY RESPONSE ACTION PLAN

2.1 SPILL SEQUENCE

The following notification sequence is intended as a guide or general rule for reporting most spills. Company policy and good judgment should be used when making these notifications. The sequence may be altered depending on the severity of the spill and the threat to public health and safety.

2.1.1 Company Notifications

When an oil spill is detected, the person detecting the release will immediately notify Scott Bergman of Lubrication Technologies that there has been a release. If the spill cannot be easily cleaned up by the spill observer, the authorized individual will assume control of the situation. The authorized individual has full authority to implement spill response actions. The phone numbers of the authorized individual and alternates must be listed. The Oil Spill Reporting Form can be utilized by the authorized individual to assist in obtaining accurate information.

2.1.2 Local Notifications

After the company has been notified of the release, the authorized individual, or his/her designee, will immediately notify local fire and police and/or the highway patrol, as applicable. If the spill occurs at a remote location, it will be the driver's responsibility to notify local authorities by dialing 911.

2.1.3 Response Contractor Notifications

The authorized individual will be responsible for notifying response contractors if the spill is one, which cannot be cleaned up by company personnel.

2.1.4 Regulatory Notifications

All petroleum spills of five gallons or more, regardless of whether they are from a fixed facility or from a commercial motor carrier, must be reported immediately to the Minnesota Duty Officer to meet the reporting requirements of Minnesota Statutes. The Duty Officer then notifies the appropriate state agencies (Minnesota Pollution Control Agency, Minnesota Department of Transportation, Minnesota Department of Natural Resources, MN Department of Agriculture, Emergency Response Commission [SARA Title III], Office of Pipeline Safety, etc). This notification will typically be made by the authorized individual of his/her designee.

The Minnesota Duty Officer's phone is:
(800) 422-0798 (outside the metro area) or
(651) 649-541(within the metro area).

In addition to notifying the Minnesota Duty Officer, if the petroleum spill is 25 gallons or greater, or if the spill could potentially reach a waterway, the National Response Center (NRC) must be notified immediately by calling 1-800-424-8802. This notification will also be made by the authorized individual or his/her designee.

2.1.5 Reporting Guidelines

When making all verbal and written notifications, include the following information on the reports:

- Your name, job title and where you can be reached
- Company name, address and telephone number
- Identity of the substance released
- Time, date and location of the release
- Quantity of the substance being transported and estimated quantity released
- Status and estimated amount of material that has been removed
- Medium into which the substance was released
- Prevailing weather conditions at the release site
- All actions taken to respond to and contain the release
- Injuries or fatalities
- Any precautions that should be taken as a result of the release
- Any other agencies that have been notified
- Other information relevant to the cause of the release or extent of damages

Telephone notification should be made immediately after a release is discovered and it is determined that the release is reportable. Written notification, if required, should be made within a week after the release is discovered.

Notification must be made even if all the above information is not known. Report everything you can immediately, then make another report when you have the rest of the information, if necessary. Also, remember to completely fill out all forms that are required, even if you put a N/A (for not applicable) or unknown, etc. Be sure to obtain the name of the individual to which the report is made and record the incident report number, if applicable.

Within 60 days after an incident resulting in the discharge of more than 1,000 gallons of petroleum product, or two reportable petroleum product spill events within 12 consecutive months, a written report must be submitted to the Regional Administrator of the U.S. EPA including the following information (see Appendix E, Oil Spill Reporting Form):

- Name, address and telephone number of facility;
- Date, time and type of incident;
- Name and quantity of waste material involved;
- Extent of any injuries;
- Assessment of actual/potential hazards to human health or the environment; and
- Estimated quantity and disposition of recovered waste material resulting from the incident.

Written reports must be submitted to the following address:

U.S. EPA: Region V
230 South Dearborn Street
Chicago, IL 60604

2.2 INITIAL RESPONSE PROCEDURES

This plan becomes effective immediately upon notification of a spill/leak occurring at the facility or from a transport vehicle. The specific action to control, contain and clean up a spill will vary with the type of oil spilled, the location and the amount. The person observing the spill should analyze the situation and exercise good judgment in formulating the best action plan for the type of spill.

In general, immediately upon becoming aware of a spill, the observer (typically the transport operator or facility personnel) should take the following initial response actions:

ISOLATE: Keep people away and upwind of the spillage. Warn them of the danger.

CONTAIN: If it can be done so safely, attempt to contain the spilled substance.

COMMUNICATE: Notify authorized individual, then local police and fire departments, and if necessary, notify emergency response contractors. Inform them of what has happened and be prepared to tell them:

- Product's proper shipping name, Class and ID #
- Extent of spill
- Location
- When it happened
- Phone number where you can be reached.

Let them hang up the phone first, and be sure to follow any instructions they may give you. Typically, in the event of a large spill, which cannot easily be handled by the spill observer, the authorized individual will assume control of the situation and be responsible for implementing spill containment, protection, and recovery actions.

3.0 INITIAL SPILL RESPONSE GUIDELINES

3.1 PURPOSE

The following spill checklist has been developed to assist the spill observer and authorized individual in the event of an actual spill. Numerous spill situations were considered in preparing this checklist. In addition to using this checklist in the event of a spill, it can be used as a training tool. The checklist should be reviewed periodically by the responsible person to determine appropriateness.

This checklist is applicable to a wide variety of potential spill situations, but is by no means an attempt to address every plausible situation. An actual response must always be tailored to meet actual circumstances.

While the need to contain and clean up the spill is important, **personal and public health and safety are the single most important considerations in the event of a spill!**

The specific properties of the products involved must always be considered. For example, the risk of fire or explosion is typically much greater for spills of gasoline than for spills of fuel oil. Consequently, for gasoline spills, the need to eliminate all potential sources of ignition and initiate evacuation procedures may warrant a higher priority than for a spill of fuel oil, etc.

3.2 IMMEDIATE ACTION CHECKLIST

Spill Observer

1. ____ Immediately discontinue all product transfer operations and warn all persons to stay clear.
2. ____ Do not allow truck engines to be started under any circumstances!
3. ____ Shut off loading pumps, determine source of leak and stop by closing valves, if it can safely be done.
4. ____ Eliminate all sources of ignition. (i.e., shut down and/or do not attempt to start any engines, use only non-sparking tools and equipment).
5. ____ Attend to injured personnel; ensure safety of all others.
6. ____ Verify product type(s), identify materials and estimated quantity spilled.
7. ____ Notify the authorized individual/alternate authorized individuals, and assist with initial response actions as directed.
8. ____ Contain product and/or keep product away from stormwater sewers by blocking or diking to prevent discharge off site, if this can be safely done.
9. ____ Keep personnel/responders upwind of spill to avoid exposure to petroleum vapors.
10. ____ Keep spillage under surveillance until danger of fire or explosion has been eliminated.

Authorized Individual/Alternate/Authorized Individuals

1. ____ Evaluate the situation and assume control.
2. ____ Notify fire department and police department as appropriate.
3. ____ Make regulatory notifications of spill and proposed actions. Document names of agencies called, persons who received the calls and the times the calls were made.
4. ____ Call out cleanup contractors if necessary. Advise them of the location of the spill, the nature of the spill and the products involved (Appendix F).
5. ____ Advise neighboring property owners and operators of any threat to their property or personnel.
6. ____ Determine whether adjacent streets or roads should be blocked.
7. ____ Determine level of response needed, hazards of product(s) involved, and proper response guidelines to be followed.
8. ____ Direct containment and cleanup activities.
9. ____ Allow adequate time for dissipation of vapors before resuming operations.

*The impact of most spills can be dramatically reduced by initiating containment operations as quickly as possible.

3.3 IMMEDIATE ACTIONS FOR FIRE OR EXPLOSION

The following procedure is to be used in the event or threat of a fire or explosion.

1. ____ CALL 911
2. ____ Warn everyone at the facility and initiate evacuation procedures.
3. ____ Close valves, shut down pumps, etc. (only if this can be safely done).
4. ____ Attempt to extinguish the fire using hand-held or wheeled fire only if the fire is small and there is little risk of the fire growing out of control rapidly. Only those employees that have been trained on the use of fire extinguishers may attempt to extinguish a small fire.

Note: For a large fire, efforts should be made to keep adjacent tanks and buildings cooled to prevent additional fires and/or explosions.

4.0 PERSONNEL TRAINING

All company personnel are instructed in the proper handling of hazardous materials associated with their job functions. Personnel are trained in the proper operation and maintenance of equipment to prevent discharge of oil or hazardous material.

All drivers involved with the transportation of hazardous materials receive training in the safe handling and transportation of these materials. Drivers from this firm have completed the hazardous materials training course put out by the Minnesota Petroleum Marketers Association. The course consists of a video tape and workbook which were developed to meet the DOT's requirements for Hazardous Materials Training.

In addition to this training all drivers have been trained on the use of this Oil Spill Response Plan.

5.0 RESPONSE CONTRACTOR AGREEMENTS

In accordance with Minnesota Statute 115E, the Spill Response Plan must contain ***"documentation that adequate personnel and equipment will be available to respond to a discharge, along with evidence that pre-arrangements for such response have been made."***

In this section, we have provided a copy of the agreement between West Central Environmental Consultants (WCEC). Any other agreements for services to be used in the event of a spill should be identified in this section.

WCEC as directed for assistance @ 612-531-9481 or 24 hours 612-980-3247, and

West Central Environmental Consultants

14 Green River Road • P.O. Box 894 • Morris, MN 56267-0894
(612) 589-3039 or 1-800-422-8358 • Fax (612) 589-8814

RE: Agreement to Provide Spill Response Services

This letter is to confirm that West Central Environmental Consultants, Inc. (WCEC) will provide personnel and equipment as needed to respond to spills of oil (petroleum products) or hazardous materials for the above referenced company, and/or delivery vehicles associated with the facility.

In the event of a spill, WCEC agrees to provide response services in accordance with the current contractual agreement between Minnesota Petroleum Marketers Association (MPMA) and WCEC. If spill response services of WCEC are employed, these services will be billed direct to your company based on the most current published WCEC Spill Response rate sheet. This agreement is valid for all MPMA members who have provided the MPMA with adequate proof of insurance.

This agreement by WCEC to provide spill response services is valid as long as your company remains a participant in the MPMA program.

Sincerely,

Gaylen Weisenburger
Marketing & Sales Manager

West Central Environmental Consultants

#

Standard Contract

Date 4/24/98

1. This agreement is made between
WEST CENTRAL ENVIRONMENTAL CONSULTANTS, INC. (referred to here as WCEC), a Minnesota Corporation located in Morris, MN and

Lube-TECH/Rollins Oil

Located in 900 Mendelssohn Ave. N., Golden Valley, MN 55427

(referred to here as CLIENT). Under the following terms and conditions, WCEC agrees to perform environmental services for the CLIENT as described in the proposal and scope of services dated See Item 59 , and subject to any subsequent change orders. In return, the CLIENT agrees to pay WCEC for these services in the amount and rates stated in the proposal, scope of services and/or change orders. Client clearly understands some sites may require work not covered in the proposal, scope of service. In those cases, WCEC will provide such additional services and the CLIENT agrees to pay WCEC for those services (as change orders) according to the latest Rate Schedule of WCEC.

2. Payment Schedule

The Client agrees to pay WCEC within (10) days of receipt of each invoice (monthly or otherwise), unless the contracted services are completed, in which case final payment will be due immediately upon completion of the services. A monthly service charge of 1.0% (unless otherwise specified in Other Terms of this Contract), will be added to all accounts which are not paid in full within thirty (30) days of the date of invoicing.

3. Insurance

WCEC maintains Comprehensive General Liability insurance for it's buildings, offices, vehicles, and equipments, both owned and non-owned, as well as Worker's Compensation. Upon request, WCEC will provide certificates of insurance verifying its coverages. If CLIENT requires additional insurance coverage, WCEC shall provide such coverage at CLIENT's expense.

4. General Provisions

Certain other General Provisions apply to this contract and are listed on the backside of this contract and client understands such provisions are an important part of this entire agreement.

5. Other Terms of this Contract

This contract is an agreement that West Central Environmental Consultants will provide Emergency Spill Response Services at Time and Materials rates. It is understood that ongoing investigative work, byond the scope of the emergency spill/leak, may be subject to bidding and/or other requirements of state agencies.

I have read and understand this contract, and agree to its terms.

West Central Environmental Consultants, Inc.

By [signature]

Its Project Manager

Client Lube-Tech / Rollins Oil

By [signature]

Its Chief Operating Officer

Address WCEC
P.O. Box 594
Morris, MN 56267-0594

Phone (320)589-2039
(800)422-8356

SS# or Fed I.D.#

Address (above)

Phone 612 545-0707

West Central Environmental Consultants

14 Green River Road • P.O. Box 894 • Morris, MN 56267-0894
(612) 589-3030 or 1-800-423-8386 • Fax (612) 589-2814

Agreement Between
Minnesota Petroleum Marketers and West Central Environmental Consultants, Inc.

This agreement between the Minnesota Petroleum Marketers Association (hereafter referred to as MPMA) of St. Paul, Minnesota and West Central Environmental Consultants, Inc. (hereafter referred to as WCEC) of Morris and Minneapolis, Minnesota relates to emergency spill response services provided to qualified MPMA members by WCEC. The effective date of this agreement is January 1, 1997.

1) WCEC agrees that it will provide 24-hour emergency spill response services to those MPMA members whose names are provided to WCEC in writing by the designated MPMA representative. In the event WCEC provides these emergency services, the individual client will be billed from the current WCEC published Spill Response Rate Schedule.

2) Those names provided to WCEC by MPMA consists of members that have obtained the appropriate insurance coverage for emergency spill response incidents, and records of insurance are on file at the MPMA office in St. Paul, MN. WCEC will also maintain and update the file as changes are submitted to WCEC by MPMA.

3) If WCEC responds to an emergency spill from a company on the list, the WCEC primary responder will notify the MPMA member that they are responsible for payment of services provided by WCEC.

4) If WCEC is requested to respond to a spill by a third party (i.e. - MPMA, State Highway Patrol, etc.), the WCEC responders will attempt to reach the designated company representative by telephone to inform them of the spill.

5) In the event an individual MPMA member on the approved list fails to pay for emergency services provided by WCEC within 60 days after invoicing, the MPMA association agrees to pay WCEC directly, and will assume the responsibility for reimbursement from the individual member.

6) The guaranteed payment provision (in item 5 above) is limited to charges generated during the first 24 hours of a spill response and will not exceed $6,000 per incident. For costs greater than this amount, or when longer periods of time are required, WCEC will make the necessary arrangements to ensure payment with the individual member.

7) Any other emergency spill response relationships (including pre-existing) between individual MPMA members and WCEC will be separate to this agreement and will be agreed upon between the individual member and WCEC.

8) WCEC agrees that it will provide each individual qualified member with a letter verifying that it will respond to a spill if called upon by the individual client (covered by the required insurance). This letter of agreement will be valid for as long as the individual member maintains the insurance coverage required by the MPMA agreement. Copies of the letters will be filed with the Spill Response Plans for each location.

9) WCEC agrees to provide two sessions annually (if requested) at MPMA hosted meetings related to petroleum products emergency spill responses. These services will be offered at no charge to the MPMA. MPMA will be responsible for other charges related to the training sessions, such as meeting room rental, audio visual equipment, etc. Additional sessions would be per individual quote.

10) This agreement becomes effective on January 1, 1997. Either party can terminate the agreement for any reason with a sixty day written notice to the other party.

11) The compensation to WCEC for the terms of this agreement shall be $1,200.00 annually.

12) The contact persons and their telephone numbers are as follows:

Minnesota Petroleum Marketers Assn.
Mr. Bob Krogman
612-484-7227

West Central Environmental Consultants
Gaylen Weisenburger/Douglas Stahman
320-589-2039

(Name and Title)
Minnesota Petroleum Marketers Assn.
2345 Rice Street, Suite 173
St. Paul, Minnesota 55113

Dated: 11-14-96

(Name and Title)
West Central Environmental Consultants
14 Green River Road
Morris, MN 56267-0594

Dated: 11-18-96

APPENDIX A

MINNESOTA STATUES CHAPTER 115E
OIL AND HAZARDOUS SUBSTANCE DISCHARGE PREPAREDNESS LAW

CHAPTER 115E

OIL AND HAZARDOUS SUBSTANCE DISCHARGE PREPAREDNESS

115E.01 Definitions.

Subdivision 1. Scope. The definitions in this section apply to this chapter. Terms that are not defined have the meanings given in the Oil Pollution Act of 1990.

Subd. 2. Agricultural chemical. "Agricultural chemical" has the meaning given in section 18D.01, subdivision 3.

Subd. 3. Commissioners. "Commissioners" means the commissioner of public safety and

(1) the commissioner of agriculture, with respect to agricultural chemicals; or

(2) the commissioner of the pollution control agency, with respect to other hazardous substances and oil.

Subd. 3a. Damages. "Damages" means damages of any kind for which liability may exist under the laws of this state resulting from, arising out of, or related to the discharge or threatened discharge of hazardous substances or oil.

Subd. 4. Discharge. "Discharge" means an intentional or unintentional emission, other than natural seepage, and includes, but is not limited to, spilling, leaking, pumping, pouring, emitting, emptying, or dumping; and also includes release as defined in section 115B.02, subdivision 15.

Subd. 5. Facility. "Facility" means a structure, group of structures, equipment, or device, other than a vessel, that is used for one or more of the following purposes: exploring for, drilling for, producing, storing, handling, transferring, processing, or transporting oil or a hazardous substance. Facility includes a motor vehicle, rolling stock, or pipeline used for one or more of these purposes. A facility may be in, on, or under land, or in, on, or under waters of the state as defined in section 115.01, subdivision 22.

Subd. 6. Hazardous substance. "Hazardous substance" has the meaning given in section 115B.02, subdivision 8.

Subd. 7. Lead agency. "Lead agency" means:

(1) the Department of Agriculture, with respect to agricultural chemicals; or

(2) the Pollution Control Agency, for other hazardous substances or oil.

Subd. 8. Oil. "Oil" means oil of any kind or in any form including, but not limited to, petroleum, fuel oil, sludge, oil refuse, and oil mixed with wastes other than dredged spoils; and also includes petroleum as defined in section 115C.02, subdivision 10.

Subd. 9. Oil Pollution Act of 1990. "Oil Pollution Act of 1990" means the Oil Pollution Act of 1990, Statutes at Large, volume 104, pages 484 to 575.

Subd. 10. Person. "Person" has the meaning given in section 115B.02, subdivision 12.

Subd. 11. Response. "Response" has the meaning given in section 115B.02, subdivision 18, and the meaning of corrective action given in section 115C.02, subdivision 4. Response includes restoration, rehabilitation, replacement, or acquisition of the equivalent of the natural resources affected by the discharge of hazardous substances or oil.

Subd. 11a. Response area. "Response area" means the area designated by the federal on-scene coordinator, the commissioner of the Pollution Control Agency, or the commissioner of agriculture in which response to a discharge is occurring.

Subd. 11b. Response costs. "Response costs" means the costs of response that are incurred after a discharge of oil or hazardous substances has occurred, or, where there is a substantial threat of discharge of oil or hazardous substances, the costs to prevent, minimize, or mitigate a discharge.

Subd. 11c. Responsible party. "Responsible party" means a responsible party as defined in section 1001 of the Oil Pollution Act of 1990.

Subd. 12. Vessel. "Vessel" means a watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water. It includes a vessel that is constructed or adapted to carry, or that carried, oil or hazardous substances in bulk as cargo or cargo residue.

Subd. 13. Worst case discharge. "Worst case discharge" means:

(1) in the case of a vessel, sudden loss of the entire contents of the vessel in weather conditions that impede cleanup;

(2) for each tank of a storage tank facility, sudden loss of the entire contents of the tank in weather conditions that impede cleanup;

(3) in the case of railroad rolling stock facilities, sudden loss of the contents of the maximum expected number of the rail cars containing oil or hazardous substance of a train onto land or into water in weather conditions that impede cleanup;

(4) in the case of truck and trailer rolling stock facilities, sudden loss of the entire contents of the truck or trailer onto land or into water in weather conditions that impede cleanup;

(5) in the case of a pipeline facility, sudden loss of the contents of the pipeline which would be expected from complete failure of the pipeline onto land or into water in weather conditions that impede cleanup;

(6) in the case of oil or hazardous substance transfer facilities, sudden loss of the largest volume which could occur during transfer into or out of a facility; or

(7) the worst case discharge for the facility as described by regulations under the Oil Pollution Act of 1990 if the regulations, when adopted, describe a discharge worse than one described in clauses (1) to (6).

HIST: 1991 c 305 s 1; 1995 c 240 art 2 s 2-5

115E.02 Duty to prevent discharges.

A person who owns or operates a vessel or facility transporting, storing, or otherwise handling hazardous substances or oil or who is otherwise in control of hazardous substances or oil shall take reasonable steps to prevent the discharge of those materials in a place or manner that might cause pollution of the land, waters, or air of the state or that might threaten the public's safety or health.

HIST: 1991 c 305 s 2

115E.03 Duty to prepare for response to discharges.

Subdivision 1. General preparedness. A person who owns or operates a vessel or facility transporting, storing, or otherwise handling hazardous substances or oil or who is otherwise in control of hazardous substances or oil shall be prepared at all times to rapidly and thoroughly recover discharged hazardous substances or oil that were under that person's control and to take all other actions necessary to minimize or abate pollution of land, waters, and air of the state and to protect the public's safety and health.

Subd. 2. Specific preparedness. The following persons shall comply with the specific requirements of subdivisions 3 and 4 and section 115E.04:

(1) persons who own or operate a vessel that is constructed or adapted to carry, or that carried, oil or hazardous substances in bulk as cargo or cargo residue;

(2) persons who own or operate railroad car rolling stock transporting an aggregate total of more than 100,000 gallons of oil or hazardous substance as cargo in Minnesota in any calendar month;

(3) persons who own or operate facilities containing 1,000,000 gallons or more of oil or hazardous substance in tank storage at any time;

(4) persons who own or operate facilities where there is transfer of an average monthly aggregate total of more than 1,000,000 gallons of oil or hazardous substances to or from vessels, tanks, rolling stock, or pipelines, except for facilities where the primary transfer activity is the retail sales of motor fuels;

(5) persons who own or operate hazardous liquid pipeline facilities through which more than 100,000 gallons of oil or hazardous substance is transported in any calendar month; and

(6) persons required to demonstrate preparedness under section 115E.05.

Subd. 3. Level of preparedness. A person described in subdivision 2 shall maintain a level of preparedness that ensures that effective response can reliably be made to worst case discharges.

Subd. 4. Demonstration of satisfactory preparedness.
A person required to maintain preparedness under subdivision 2 may demonstrate satisfactory preparedness to the commissioner of the lead agency through one or a combination of the following means:

(1) adequate response personnel and equipment in the usual employ of the person;

(2) adequate response personnel and equipment available from for-hire cleanup contractors with arrangements made for their deployment;

(3) adequate response personnel and equipment from a response cooperative or community awareness and emergency response organization meeting guidelines prepared by the lead agency with arrangements made for their deployment; or

(4) adequate response personnel and equipment of local, state, or federal public sector response organizations with arrangements made for their deployment.

Subd. 5. Department of Transportation. The commissioner of transportation may examine the evidence of financial responsibility required under section 1016 of the Oil Pollution Act of 1990 for a vessel and may apply the sanctions in that section.

HIST: 1991 c 305 s 3; 1993 c 341 art 2 s 1

115E.04 Prevention and response plans.

Subdivision 1. Plan contents. Persons required to show specific preparedness under section 115E.03, subdivision 2, shall prepare and maintain a prevention and response plan for a worst case discharge. The plan must:

(1) describe how it is consistent with the requirements of the national or area contingency plans developed under the Oil Pollution Act of 1990;

(2) describe the measures taken to prevent discharges from occurring, including prevention of a worst case discharge, prevention of discharges of lesser magnitude, and prevention of discharges similar to those that have occurred from the vessel or facility during its history of operation;

(3) identify the individual or individuals having full authority to implement response actions, and those individuals' qualifications and titles;

(4) identify how communication and incident command relationships will be established between the individuals in command of a vessel or facility response and the following persons:

(i) individuals in the employ of the owner or operator of the vessel or facility who are responding to the discharge;

(ii) appropriate federal, state, and local officials; and

(iii) other persons providing emergency response equipment and personnel;

(5) describe the facility or vessel and identify the locations and characteristics of potential worst case discharges from the vessel or facility;

(6) identify the means under section 115E.03, subdivision 4, that will be used to satisfy the requirement to have adequate equipment and personnel to respond to a worst case discharge;

(7) contain copies of contracts, correspondence, or other documents showing that adequate personnel and equipment as described in section 115E.03, subdivision 4, will be available to respond to a worst case discharge;

(8) describe the actions that will be taken by the persons described in section 115E.03, subdivision 4, in the event of a worst case discharge; and

(9) describe the training, equipment testing, periodic drills, and unannounced drills that will be used to ensure that the persons and equipment described in section 115E.03, subdivision 4, are ready for response. A plan submitted to the federal government under the Oil Pollution Act of 1990 or prepared under other law may be used to satisfy the requirements in clauses (1) to (9) provided that the information required by clauses (1) to (9) is included in the plan.

Subd. 2. Timing. (a) A person required to be prepared under section 115E.03, other than a person who owns or operates a motor vehicle, rolling stock, or a facility that stores less than 250,000 gallons of oil or a hazardous substance, shall complete the response plan required by this section by March 1, 1993, unless one of the commissioners orders the person to demonstrate preparedness at an earlier date under section 115E.05.

(b) A person who owns or operates a motor vehicle, rolling stock, or a facility that stores less than 250,000 gallons of oil or a hazardous substance shall complete the response plan required by this section by January 1, 1994.

(c) Plans required under section 115E.04 or 115E.045 must be updated every three years. Plans must be updated before three years following a significant discharge, upon significant change in vessel or facility operation or ownership, upon significant change in the national or area contingency plans under the Oil Pollution Act of 1990, or upon change in the capabilities or role of a person named in a plan who has an important response role.

Subd. 3. Notification. (a) The commissioner of public safety must be notified when any of the following takes place:

(1) submission of the plan to the federal government;

(2) granting of exemptions or extensions of time by the federal government for submission of the plan; or

(3) completion of the plan if submission to the federal government is not required.

(b) Notification under this subdivision must be on a form prescribed by the commissioner of public safety and must include:

(1) a description of the facility or vessel;

(2) a description of the activities involving oil or hazardous substances;

(3) a description of the types of materials being handled, including whether agricultural chemicals are involved; and

(4) other information required by the commissioner.

(c) The commissioner of public safety shall transmit a copy of the notification to the other commissioners as appropriate, depending on the types of materials involved.

Subd. 4. Review of prevention and response plan. (a) A person required to show specific preparedness under section 115E.03, subdivision 2, must submit a copy of the prevention and response plan to any of the commissioners who request it and to an official of a political subdivision with appropriate jurisdiction upon the official's request, or the plan and equipment and material named in the plan may be examined upon the request of an authorized agent of a commissioner or official.

(b) Upon the request of one or more of the commissioners, a person shall demonstrate the adequacy of prevention and response plans and preparedness measures by conducting announced or unannounced drills, calling persons and organizations named in a prevention and response plan and verifying roles and capabilities, locating and testing response equipment, questioning response personnel, or other means that in the judgment of the requesting commissioner demonstrate preparedness. Before requesting an unannounced drill, the requesting commissioner shall notify the other commissioners that a drill will be requested and invite them to participate in or witness the drill. If an unannounced drill is conducted to the satisfaction of the commissioners, the person conducting the drill may not be required to conduct an additional unannounced drill in the same calendar year.

Subd. 5. Citizens advisory groups. The commissioner of the Pollution Control Agency, the Department of Agriculture, or the Department of Public Safety may establish, or a local official may request a commissioner to establish, a citizens advisory group following a discharge of oil or a hazardous substance. The purpose of the citizens advisory group is to facilitate exchange of information and concerns related to the discharge and response between the owner or operator of the vessel or facility, the governmental responders, and the affected members of the public.

HIST:1991 c 305 s 4; 1992 c 593 art 2 s 1; 1993 c 341 art 2 s 2; 1995 c 240 art 2 s 6

115E.045 Response plans for trucks and certain tank facilities.

Subdivision 1. Response plan for trucks. (a) By June 1, 1994, a person who owns or operates trucks or cargo trailer rolling stock transporting an average monthly aggregate total of more than 10,000 gallons of oil or hazardous substances as bulk cargo in this state shall prepare and maintain a prevention and response plan in accordance with this subdivision. The plan must include:

(1) the name and business and nonbusiness telephone numbers of the individual or individuals having full authority to implement response action;

(2) the telephone number of the local emergency response organizations, as defined in section 299K.01, subdivision 3, if the organizations cannot be reached by calling 911;

(3) a description of the type of rolling stock and the maximum potential discharge that could occur from the equipment;

(4) the telephone number of the single answering point system established under section 115E.09;

(5) the telephone number of an individual or company with adequate personnel and equipment available to respond to a discharge, along with evidence that the individual or company and the individual responsible for preparing the plan have made arrangements for such response;

(6) a description of the training that the owner or operator's truck or cargo trailer operators have received in handling hazardous materials and the emergency response information available in the vehicle; and

(7) a description of the action that will be taken by a truck or cargo trailer owner or operator in response to a discharge.

(b) The response plan must be retained on file at the person's principal place of business.

Subd. 2. Response plan for tank facilities with between 10,000 and 1,000,000 gallons of storage. (a) By June 1, 1994, a person who owns or operates a facility that stores more than 10,000 gallons but less than 1,000,000 gallons of oil or hazardous substances in aboveground tanks shall prepare and maintain a prevention and response plan in accordance with this subdivision. The abbreviated plan must include:

(1) the name and business and nonbusiness telephone numbers of the individual or individuals having full authority to implement response action;

(2) the telephone number of the local emergency response organizations, as defined in section 299K.01, subdivision 3, if the organizations cannot be reached by calling 911;

(3) a description of the facility, tank capacities, spill prevention and secondary containment measures at the facility, and the maximum potential discharge that could occur at the facility;

(4) the telephone number of the single answering point system established under section 115E.09;

(5) documentation that adequate personnel and equipment will be available to respond to a discharge, along with evidence that prearrangements for such response have been made;

(6) a description of the training employees at the facility receive in handling hazardous materials and in emergency response information; and

(7) a description of the action that will be taken by the facility owner or operator in response to a discharge.

(b) The response plan must be retained on file at the person's principal place of business.

Subd. 3. Notice of plan completion. A person required to prepare a response plan under this section shall notify the commissioner of public safety when the plan has been completed. Upon request, the person shall provide a copy of the plan to the commissioner of the pollution control agency.

Subd. 4. Agricultural chemicals exempt. This section does not apply to agricultural chemicals, as defined in section 18D.01, subdivision 3, that are subject to chapter 18B or 18C.

HIST: 1993 c 341 art 2 s 3; 1994 c 589 s 2

115E.05 Orders and injunctions; enforcement.

Subdivision 1. Amendment to plan. If one or more of the commissioners finds the prevention and response plans or preparedness measures of a person do not meet the requirements of this chapter, the commissioner or commissioners making the finding may by order require that reasonable amendments to the plan or reasonable additional preventive or preparedness measures be implemented in a timely fashion. If more than one commissioner makes the finding, the order must be a joint order.

Subd. 2. Compliance. If oil or a hazardous substance is discharged while it is under the control of a person not identified in section 115E.03, subdivision 2, any one of the commissioners may by order require the person to comply with the prevention and response plan requirements of sections 115E.03 and 115E.04 in a timely manner if:

(1) land, water, or air of the state is polluted or threatened; or

(2) human life, safety, health, natural resources, or property is damaged or threatened.

Subd. 3. Financial assurance for response. (a) For purposes of this subdivision, "ordering commissioner" means:

(1) the commissioner of the Pollution Control Agency;

(2) the commissioner of natural resources;

(3) the commissioner of agriculture; or

(4) two or more of these commissioners acting jointly.

(b) The ordering commissioner may issue an order under this subdivision if the ordering commissioner determines that adequate response is not being made or that other circumstances exist which indicate adequate response will not continue. When ordered by the ordering commissioner the owner or operator of a vessel or facility responsible for the discharge of a hazardous substance or oil shall provide financial assurance acceptable to the ordering commissioner. The financial assurance must be in the amount necessary to cover the reasonable response costs, as determined within one year after discharge by the ordering commissioner, of any additional response that is determined to be reasonable and necessary under applicable laws and regulations.

(c) The ordering commissioner may issue only one financial assurance order under this subdivision for a single incident involving the discharge of hazardous substances or oil.

(d) This subdivision may be enforced by the ordering commissioner under section 115.071.

(e) An order issued under this subdivision shall cease to be effective upon completion of a response in accordance with applicable laws and regulations.

Subd. 4. Other enforcement powers. For the purposes of enforcing this chapter, the commissioner of the Pollution Control Agency may exercise the regulatory and enforcement powers in chapters 115 and 116 and the commissioner of the Department of Agriculture may exercise the regulatory and enforcement powers in chapters 18B, 18C, and 18D.

HIST: 1991 c 305 s 5

115E.06 Good Samaritan.

(a) A person listed in this paragraph who is rendering assistance in response to a discharge of a hazardous substance is not liable for response costs that result from actions taken or failed to be taken in the course of the assistance unless the person is grossly negligent or engages in willful misconduct:

(1) a member of a cooperative or community awareness and emergency response group in compliance with standards in rules adopted by the Pollution Control Agency;

(2) an employee or official of the political subdivision where the response takes place, or a political subdivision that has a mutual aid agreement with that subdivision;

(3) a member or political subdivision sponsor of a hazardous materials incident response team or special chemical assessment team designated by the commissioner of the Department of Public Safety;

(4) a person carrying out the directions of: (i) the commissioner of the Pollution Control Agency, the commissioner of agriculture, the commissioner of natural resources, or the commissioner of public safety; or (ii) the United States Coast Guard or Environmental Protection Agency on-scene coordinator consistent with a national contingency plan under the Oil Pollution Act of 1990; and

(5) a for-hire response contractor.

(b) This section does not exempt from liability responsible persons with respect to the discharge under chapter 115B or 115C or responsible parties with respect to the discharge under chapter 18B or 18D.

HIST: 1991 c 305 s 6; 1995 c 240 art 2 s 7

115E.061 Responder immunity; oil discharges.

(a) Notwithstanding any other law, a person who is rendering care, assistance, or advice in response to a discharge or threat of discharge of oil is not liable for response costs or damages that result from actions taken or failed to be taken in the course of rendering the care, assistance, or advice consistent with the national contingency plan under the Oil Pollution Act of 1990, or as otherwise directed by the federal on-scene coordinator, the commissioner of the pollution control agency, the commissioner of agriculture, the commissioner of natural resources, or the commissioner of public safety.

(b) Paragraph (a) does not apply:

(1) to a responsible party;

(2) with respect to personal injury or wrongful death;

(3) if the person rendering assistance is grossly negligent or engages in willful misconduct; or

(4) to a discharge that occurs outside the response area or after the response.

(c) Nothing in this section relieves a responsible party from liability the responsible party otherwise has for the initial discharge or threat of discharge that necessitated the response.

(d) Nothing in this section relieves a responsible party from the following duties:

(1) to take steps to prevent discharges under section 115E.02;

(2) to be prepared for discharges under section 115E.03, subdivision 1; or

(3) duties under section 115.061.

(e) A responsible party is liable for any response costs and damages that another person is relieved of under paragraph (a).

HIST: 1993 c 341 art 2 s 4; 1995 c 240 art 2 s 8

115E.07 Cooperation between private and public responders.

Political subdivisions and state agencies may arrange with persons to provide resources of state and local government so that the persons may comply with section 115E.03, subdivision 4.

HIST: 1991 c 305 s 7

115E.08 Coordination.

Subdivision 1. Appointment. The commissioner of public safety shall coordinate state agency preparedness for response to discharges of oil or hazardous substances.

Subd. 2. Duties. The commissioner of public safety shall at least annually assess the preparedness of each state agency for carrying out its responsibilities under sections 115E.01 to 115E.09 and shall chair regular meetings of representatives of each agency to prepare for coordinated response. The commissioner shall develop an incident command system for use by state agency responders in consultation with the affected state agencies. Following each major incident, the commissioner shall review the performance of each responding agency and the adequacy of the overall response and shall report to the agencies involved and the governor. The commissioner shall also identify opportunities for state agencies to coordinate with federal departments and agencies and political subdivisions of the state for preparedness and response actions.

Subd. 3. Jurisdiction. Except as otherwise provided, the following agencies have primary responsibility for the specified areas in carrying out the duties and authorities of this chapter:

(1) the Department of Agriculture, for agricultural chemicals;

(2) the Department of Public Safety, for public safety and protection of property;

(3) the Department of Natural Resources, for assessment and rehabilitation of water resources;

(4) the Pollution Control Agency, for all other matters subject to this chapter; and

(5) the Department of Transportation, with respect to requirements related to the packaging, labeling, placarding, routing, and written reporting on releases of hazardous materials that are being transported.

Subd. 4. Annual report. The commissioner shall annually report to the appropriate committees of the legislature on the readiness of state government to respond appropriately to discharges of oil or hazardous substances.

HIST: 1991 c 305 s 8

115E.09 Single answering point system.

The commissioner of public safety shall establish a single answering point system for use by persons responsible for reporting emergency incidents and conditions involving hazardous substances or oil to agencies of the state. The single answering point system must include personnel on duty 24 hours a day and equipment adequate to support communication to and from the parties responsible for an incident and all state agencies responsible for state response to the incident. The persons at the answering point must be trained in the jurisdictions, responsibilities, and capabilities of each state agency and basic hazardous substance hazard recognition and response procedures. All state agencies shall cooperate with the commissioner by including the single answering point system telephone number in files, permits, correspondence, and similar written material, and by appointing staff to coordinate the receipt of reports with the staff of the single answering point system.

HIST: 1991 c 305 s 9

115E.11 Disposition of penalties.

Penalties collected for violations of this chapter or section 115.061 that are related to discharges or threatened discharges of petroleum must be deposited in the state treasury and credited to the petroleum tank release cleanup fund.

HIST: 1993 c 341 art 2 s 5; 1995 c 254 art 1 s 96

APPENDIX B

SPILL BILL RESPONSE PLAN NOTIFICATION FORM

SPILL BILL RESPONSE PLAN NOTIFICATION FORM

Minnesota Department of Public Safety
Division of Emergency Management
B-5 State Capitol
Saint Paul, MN 55155
(612) 296-2233
TDD: (612) 297-2100

Please complete this form to comply with the notification requirements of Minnesota Statute Chapter 115E, Oil & Hazardous Substance Discharge Preparedness.

*** IMPORTANT *** *If your facility reports under SARA Title III, Section 312, please check the following box, include your ERC ID#, and certify this form. You do not need to complete the body of the form if you are currently reporting under SARA Title III.*

FACILITY IDENTIFICATION

Name:_____ SIC Code: ____ ____ ____ ____

Street:_____

City:_____ County:_____ State:_____ Zip:_____

Currently reports under SARA Title III, Section 312: [ ] Yes [ ] No ERC ID#: __ __-__ __ __-__ __ __ __

FACILITY DESCRIPTION

DESCRIPTION OF ACTIVITIES INVOLVING HAZARDOUS MATERIALS

TYPES OF MATERIALS HANDLED

Chemical Name:	CAS Number:

FACILITY CONTACT

Name: _____

Title: _____

Phone: _____

24 hr Phone: _____

FACILITY EMERGENCY CONTACT

Name: _____

Title: _____

Phone: _____

24 hr Phone: _____

CERTIFICATION

I certify that the response plan as required by the Minnesota Spill Bill is complete and available at the facility listed above. Completion of this form serves as the required notification to the Division of Emergency Management of plan completion.

Name and Title of Owner/Operator or Designated Representative | Signature | Date Signed

Minnesota Pollution Control Agency
Tanks and Emergency Response Section
520 Lafayette Road North
Saint Paul, Minnesota 55155-4194

February 1998
(revised)

Spill Response Plan Outline

(for smaller facilities - under 10,000 gallons - which are not regulated by the Spill Bill)

A spill response plan is for your use, however, it could be used by emergency responders dealing with a spill at your facility. Keep a copy of the plan in a visible, accessible location.

General Information

- Name and location of facility
- Type of facility (what type of work is done here)
- General manager or emergency coordinator names and phone numbers (home, work, pager, mobile)
- Description of what is stored at the facility (contents and volume)
- Site diagram showing:
  - chemical or oil storage areas
  - drains (storm and sanitary)
  - surface waters
  - chemical or oil transfer areas
  - buildings
  - the surrounding neighborhood (what else is nearby)

Prevention

- Description of prevention measures taken at the facility (what have you done ahead of time to prevent a spill from happening?)
  - secondary containment for tanks
  - automatic shut-off for deliveries
  - loading area paved and curbed
  - valves locked
  - overfill protection
  - security measures (lights and fencing)
  - frequent inspection of tanks, pipes, valves, and hoses
  - tanks, pipes, and valves are clearly labeled
  - diagram of site clearly visible for delivery driver (laminate and post outside if deliveries take place after hours or if no one will be there)

Preparedness

- Describe any equipment you have on site for spill response and its location:
  - boom (sorbent or containment)
  - shovels
  - empty drums
  - sorbent pads, kitty litter, floor dri, sand
  - drip pans or buckets
  - plastic
- Outline the company's plan for health and safety training, DOT required training, and spill response training

Keep important phone numbers to call in case of a spill:

- **911** (where any public safety threat is possible)
  - fire
  - persons injured
  - release or potential release to sewer system
- **Company headquarters or manager's home telephone number** (include all numbers necessary to contact the Company's authorized person. The authorized person should be able to make decisions on the Company's behalf)
- **Minnesota Duty Officer** (this call satisfies the MPCA reporting requirement - post these telephone numbers)
  1-800-422-0798 (greater Minnesota) OR 612/649-5451 (Metro area and outside of Minnesota)
- **National Response Center** (this call satisfies the EPA reporting requirement)
  Call if petroleum is released and if there is a sheen on surface water. All chemicals have a "reportable quantity." Spills bigger than that need to be reported - make sure you know the reportable quantity for everything you store.
  1-800-424-8802
- **Local officials** (as necessary)
  - sewer department
  - water treatment plant
  - City Hall
- **Neighboring facilities** (they may need to evacuate or otherwise might want to know)
  - businesses
  - nursing homes
  - schools
- **Emergency response contractors**

Response Action (CALL 911 FIRST IF PUBLIC SAFETY IS THREATENED) IMMEDIATELY:

- don't panic
- define the problem (leaking valve, ruptured hose)
- quickly analyze and assess the situation: where will the spill go? what problems might result?
- site control - keep people away and upwind
- stop the source if you can do it safely (shut off pump, close valves)
- eliminate sources of ignition (shut off motors and engines, no smoking)
- attempt to contain the spilled material if you can do it safely
  - drip pan or bucket under leak valve
  - use sorbent material on small spill (kitty litter, pads, sand)
  - block or dike any nearby drains or pathways to surface waters
- call the appropriate people to get help

Stabilization

- Clean up the spill (use your own equipment if spill is small and manageable - call a qualified cleanup contractor if it is beyond your abilities to manage properly)
- Review your prevention, preparedness and response activities to see if you could have prevented the spill, been better prepared to deal with it, or responded in a more efficient way and revise the plan if needed

APPENDIX C

NPCA FACT SHEETS

Minnesota Pollution Control Agency

Metro, North and South Districts, Emergency Response Unit

Minnesota Spill Bill

Cleanup/C1-10/April 199

Minnesota Statute chapter 115E, Oil and Hazardous Substance Discharge Preparedness Law which is commonly referred to as the "Spill Bill" affects all handlers of oil and hazardous substances. The law requires the handlers to prevent and prepare for spills of these substances. Handlers shall be prepared at all times to rapidly and thoroughly recover discharges. In addition, the law has some specific requirements for some handlers.

The following handlers specifically have to prepare written prevention and response plans and maintain a level of preparedness that ensures an effective reliable response to a worst case discharge:

- cargo water vessels
- trucks or cargo trailers transporting more than 10,000 gallons per month
- aboveground storage tank facilities storing 10,000 gallons or more
- railroad rolling stock transporting more than 100,000 gallons per month
- pipelines transporting more than 100,000 gallons per month
- facilities that transfer greater than 1,000,000 gallons per month

By January 1, 1994 or June 1, 1994, these handlers were to notify the Minnesota Department of Public Safety (MDPS) that their plan was completed by those dates. All plans are to be updated at a minimum every three years. Plans must be updated before three years following a significant discharge, change in facility operation or ownership, changes in the national or area plans, or changes in the capabilities or role of a person named in the plan.

MDPS is to assess and coordinate the state agencies' preparedness, develop an incident command system for use by state agency responders, report to the legislature on the readiness of the state, and establish a one call reporting system. The Minnesota Duty Officers receive all environmental emergency reports involving hazardous substances or oil.

The Duty Officers can be reached at 651/649-5451 or 800/422-0798.

Other provisions of the Spill Bill include:

- The opportunity for establishing a citizens advisory group following an incident to facilitate exchange of information and concerns related to the discharge.
- Commissioners of the Minnesota Pollution Control Agency, the Department of Natural Resources, or the Department of Agriculture can request a copy of a company's prevention and response plan, require changes to plans or additional preventative measures, or request a demonstration of the adequacy of their plan.

The Commissioners can order a spiller to provide financial assurance that the spiller can complete a cleanup in progress.

- Good Samaritan and Responder immunity provisions to protect good faith responders and citizens from liability of response costs or damages.
- Allowing governmental agencies to provide resources to persons so that the persons may be adequately prepared per section 115E.03, subdivision 4.

For more information on spill prevention, cleanup, and disposal, call the MPCA at 651/296-6300 or 800/657-3864 and ask for a member of the Emergency Response Team.

MPCA Website: http://www.pca.state.mn.us

Minnesota Pollution Control Agency

Metro, North and South Districts, Emergency Response Unit

Minnesota Spill Bill Abbreviated Prevention and Response Plans

Cleanup/C1-11/April 1999

Facilities that need a plan:

- Aboveground storage tank facilities storing greater than 10,000 gallons and less than 1,000,000 gallons and
- Trucks and cargo trailer rolling stock transporting greater than 10,000 gallons per month

Plan Contents

Minn. Stat. § 115E.045, subdivisions 1 and 2 list seven required components:

1. The name, business, and nonbusiness telephone numbers of the individuals having authority to implement response actions.
2. Local emergency response telephone numbers if a 911 system is not available.
3. For trailer rolling stock, describe the type of rolling stock and the maximum potential discharge that could occur from the equipment. For tank facilities, describe the facility, tank capacities, spill prevention and secondary containment measures, and the maximum potential discharge that could occur.
4. The state Duty Officer's telephone number: 651/649-5451 or 800/422-0798.
5. Documentation and evidence of adequate personnel and equipment will be available to respond to a discharge.
6. Describe the training employees have received in handling hazardous materials and in emergency response information.
7. Describe the action that will be taken by the in response to a discharge.

Notifications

The Minnesota Department of Public Safety, Division of Emergency Management (MDPS/DEM) should be notified when the plan is complete.

Due Dates

The initial due date was June 1, 1994. Plans must be updated every three years or before three years following a significant discharge, change in facility operation or ownership, changes in the national or area plans, or changes in the capabilities or role of a person named in the plan.

Plan Reviews

The Commissioner of the Minnesota Pollution Control Agency (MPCA) may request a copy of the prevention and response plan. The Commissioners of the MPCA and Minnesota Department of Agriculture may order changes to inadequate prevention and response plans or require additional preventative or preparedness measures to be implemented. The Commissioners can order a spiller to provide financial assurance that the spiller can complete a cleanup which is in progress.

More Information

For more information on the Spill Bill, spill prevention, cleanup, or disposal, call the MPCA at 651/296-6300 or 800/657-3864 and ask for a member of the Emergency Response Team.

MPCA Website:
http://www.pca.state.mn.us

Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194
(612) 296-6300, toll-free (800) 657-3864, TDD (612) 282-5332

Minnesota Pollution Control Agency

Metro, North and South Districts, Emergency Response Unit

Reporting Hazardous Material Spills

Cleanup/C1-08/April 1999

This fact sheet is designed as a reminder to dispatchers and public safety responders to notify the Minnesota Duty Officer whenever there is a spill of oil or hazardous materials. While it is the responsibility of the spiller to immediately report and clean up spills, state troopers, county sheriffs, or local police departments are typically the first public safety responders to the scene. Because of this, they sometimes need to report the spill or remind the spiller to do so.

Every day, accidents involving commercial vehicles cause spills of oil and hazardous materials. The Minnesota Pollution Control Agency's (MPCA) Emergency Response Team (ERT) oversees the proper cleanup of significant spills and rely on public safety responders and dispatchers to make sure that spills are reported to the MPCA through the Duty Officer. Once an incident is reported, ERT staff can contact the company responsible for the spill to ensure they begin cleanup efforts as soon as possible.

The Duty Officer telephone numbers are 651/649-5451 or toll free at 800/422-0798. Spills can be reported to these phone numbers 24 hours a day. The Duty Officer will notify all other state agencies that may need to be involved in the reported incident.

When reporting an incident please provide the following critical information to the Duty Officer:

1) Spill Location:
   - Road number or name,
   - Nearest intersection or mile marker,
   - City;

2) Trucking Company Information:
   - Name, address, and telephone number,
   - Driver's name,
   - Truck number;

3) Description of Spilled Material:
   - Fuel tank leakage—include size and fuel type,
   - Engine fluid leakage,
   - Cargo leakage—including name of product that is leaking, placards or labels, estimation of the quantity of cargo, and amount of leakage.

4) Location of the Spilled Material:
   - On the roadway or shoulder,
   - In ditch (with or without standing water),
   - Material has entered storm sewer,
   - Material has affected surface water (river, creek, pond, etc.).

5) Initial Response to Spill:
   - Roadway has been closed,
   - Local fire department responding
   - MnDOT sanding the spill, etc

Thank you for your assistance! If you have questions about spill reporting, cleanup, or disposal, please call the MPCA at 651/296-6300 or 800/657-3864 and ask for a member of the Emergency Response Team.

MPCA Website:
[http://www.pca.state.mn.us]

Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194
(612) 296-6300, toll-free (800) 657-3864, TDD (612) 282-5332

Minnesota Pollution Control Agency

Metro, North and South Districts, Emergency Response Unit

Prevention and Preparedness for Oil Delivery Companies

Cleanup/C1-03/April 1999

Prevention is the key to limiting the potential of having a fuel spill. Good prevention measures take time and effort but the rewards can save money and headaches. If a fuel spill does occur, being prepared will ensure a quick, effective, and efficient response while minimizing environmental and property damage. Here are some simple but effective spill prevention and preparedness ideas for oil companies.

Company Records

Review and update your customer list. Be sure customers who have requested termination of your services are removed from your delivery list. Numerous deliveries have been made to homes which have converted to propane or natural gas and the fuel was pumped into the basement with no tank to receive it. This type of incident could contaminate a drinking water well, ruin a septic system, penetrate concrete block creating odor problems, or enter a sump system and be pumped to surface waters. These types of cleanups are very costly. Companies could prevent some of these incidents by keeping up-to-date and accurate delivery information on their customers.

Equipment Maintenance

Inspect hoses and other equipment for defects, wear, or breakdowns on a daily basis to ensure proper and safe operation.

Delivery Information

Compile information which will be helpful to your drivers, such as the type of delivery (continuous fill or call-in), location of fill pipe, and map of property showing locations. Keep this information in a book for reference during deliveries and make it company policy that this information is referred to before each delivery.

Establish Procedures

- Train delivery staff on safe delivery procedures and handling, how to spot trouble and prevent accidents, basic spill response procedures, and what to do in the event of an emergency. Create a step by step process or checklist for each delivery.
- Stock the delivery trucks with customer reference book, spill kit, gloves and connectors. Spill kits could include a shovel, kitty litter or sorbent pads, and plastic sheeting.
- Establish delivery procedures and protocols which minimize the potential for accidents to happen. Check the address and purchase order, and stick the tank or confer with the resident or job site personnel. Assess where or how most accidents occur and work on preventing them in the future.

Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194
(651) 296-6300, toll-free (800) 657-3864, TTY (651) 282-5332 or (800) 657-3864

Develop spill response procedures and protocols including how to contain a spill, a list of resources available to your employees, and emergency telephone numbers of company staff or cleanup companies. Diking and containing a spill will minimize environmental and property damage. Small spills can be cleaned up easily and quickly by spreading a sorbent material to absorb any free liquid which cannot be pumped up.

- If the petroleum spill is over five gallons, report the spill to the State Duty Officer who in turn will put you in contact with the Minnesota Pollution Control Agency and other state agencies, as needed, to respond to the incident. The Minnesota Duty Officer's 24 hour telephone numbers are: **651/649-5451 or 800/422-0798.**
- Finally, arrange for proper disposal of all your wastes generated. With the exception of used oil, waste generated from petroleum spills which have been reported and cleaned up immediately are exempt from Minnesota's Hazardous Wastes Rules. Waste from used oil spills must be sent to a facility for energy recovery.

For more information on spill prevention, cleanup, and disposal, call the MPCA at **651/296-6300** or **800/657-3864** and ask for a member of the Emergency Response Team.

MPCA Website: http://www.pca.state.mn.us

Minnesota Pollution Control Agency

Metro, North and South Districts, Emergency Response Unit

Spill Prevention for Residential Tanks

Cleanup/C1-14/April 1999

Proper care and maintenance of your fuel oil tank, lines, and furnace can reduce your chance of being faced with costly environmental problems. Fuel oil spills in homes can:

- contaminate drinking water wells, ground water, and soil;
- foul septic systems, requiring that they be replaced;
- cause odor and vapor problems in the home;
- enter sumps that can contaminate storm/sanitary sewers, surface water, and drainage ditches.

Each of these problems can cost homeowners thousands of dollars to correct. The following tips can help homeowners avoid costly problems associated with leaks and spills from home heating oil systems.

"To do's" before and during the heating season

- Keep oil lines between tank and furnace either under concrete or in protective tubing.
- Keep all pipe connections clean and tight.
- Measure and monitor fuel usage and compare it to past seasons.
- Discuss your fuel needs, the delivery protocols, and spill protocols with your fuel delivery company.
- Know how to properly measure your tank and calculate the volume in the tank.
- Know when and how much to order from your fuel oil delivery company.
- Keep the fill pipe accessible and visible for the delivery company.
- Keep the vent line clear of any snow, ice, or insect nests to prevent pressurizing.

Things to consider

- Check the condition of the tank and lines. The life of your tank depends on many variables such as the tank construction, tank installation, soil and ground water conditions, and maintenance of the tank.
- Consider upgrading your tank system or converting to an alternative fuel.
- If you take your tank out of service, remove the tank and lines completely. Many fuel oil delivery companies have delivered fuel to homeowner fill pipes that had no tank attached to the other end.
- Check the stability of the legs and the ground underneath your aboveground tank. Many tanks have buckled or tipped due to instabilities.

Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194
(651) 296-6300, toll-free (800) 657-3864, TTY (651) 282-5332 or (800) 657-3864

- Look for signs of spillage near your fill pipe and vent pipe. Stained soils and rock or distressed vegetation could indicate a fuel spill has occurred. If you discover a spill has occurred, immediately report it to Minnesota Pollution Control Agency (MPCA) via the State Duty Officer by calling 651/649-5451 or 800/422-0798. MPCA staff can offer you advice on how to best correct and cleanup the problem.

For more information on spill prevention, cleanup, and disposal, call the MPCA at 651/296-6300 or 800/657-3864 and ask for a member of the Emergency Response Team.

MPCA Website: http://www.pca.state.mn.us

Minnesota Pollution Control Agency

Metro, North and South Districts, Emergency Response Unit

Thin Spreading Small Quantities of Petroleum Contaminated Soils

Cleanup/C1-16/April 1999

This guidance is only to be used for small quantities, 10 cubic yards or less, of soil or other organic materials from spill and/or emergency response sites which have been approved by the Minnesota Pollution Control Agency (MPCA) staff. The MPCA has rules for sites accepting volumes up to 1500 cubic yards of petroleum contaminated soil and the MPCA requires a permit for the ongoing land treatment of large quantities.

The following conditions must be met to thin spread petroleum contaminated soils or other MPCA staff approved materials. If these conditions are not met, approval is automatically revoked. Approval is given verbally by the MPCA Emergency Response Team staff. It is the responsibility of the spiller to ensure an adequate cleanup and disposal has occurred.

Storage

Material stored prior to thin spreading should be placed in barrels or on an impervious surface and covered with plastic.

Permission from Land Owner

Permission granted from property owner.

Local and County Ordinances

Check with the local units of government if there are any ordinances pertaining to thin spreading. Observe all applicable ordinances.

Township Notifications/Approvals

If soil will be thin spread in a different township than where it originated from, the receiving township must be given 60 days to review the application and provide recommendation to the MPCA staff. This applies to organized and unorganized townships receiving petroleum-contaminated soil generated outside their township. This does not apply to cities or thin spreading within the same township where the material was generated.

Site Conditions

The application site is in a relatively isolated area with set back distances of 200 feet from surface waters, drinking water wells, and sewers. The soil is moderate to high fertility and the land slope is less than six percent.

Timing

Application of material can only occur between April 1 and November 1.

Application

The material should be applied at a maximum thickness of two inches. After application, the material is worked into the native soils by disking, raking, blading, or equivalent methods. Application site is observed for visual contamination for a minimum of one year or until biodegradation has occurred.

Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194
(651) 296-6300, toll-free (800) 657-3864, TTY (651) 282-5332 or (800) 657-3864

With the exception of used oil, waste generated from petroleum spills, which have been reported and cleaned up immediately are exempt from Minnesota's Hazardous Waste Rules. Waste from used oil spills must be sent to a facility for energy recovery. For more information on spill prevention, cleanup, and disposal, call the MPCA at 651/296-6300 or 800/657-3864 and ask for a member of the Emergency Response Team.

MPCA Website: http://www.pca.state.mn.us

APPENDIX D

EMERGENCY TELEPHONE LIST

To Request State Assistance or Report a Petroleum or Hazardous Materials Spill
Call 24 Hours a Day:

MINNESOTA DUTY OFFICER

1-800-422-0798

(IN MINNESOTA ONLY)

(651) 649-5451

(TWIN CITIES METRO AREA AND OUTSIDE MINNESOTA)

(651) 296-2233
(Backup ONLY)

(651) 296-2300
FAX

TDD: (651) 297-5353 (Metro Area)
1-800-627-3529 (Greater MN)

Emergency Notification

IF YOU SPILL A HAZARDOUS MATERIAL OR A PETROLEUM PRODUCT IN MINNESOTA YOU MUST CALL:

Local Authorities: 9-1-1 FIRST, when there is a threat to life or property.

The Minnesota Duty Officer: If there is a public safety or environmental threat and/or if a State Agency Notification for Reportable Spills is required.

The National Response Center: 1-800-424-8802, when a federal notification is required.

Request for State Assistance

THE PURPOSE OF THE MINNESOTA DUTY OFFICER PROGRAM IS TO PROVIDE A 24 HOUR-A-DAY, 7 DAY-A-WEEK ANSWERING POINT FOR EMERGENCY REQUESTS FOR STATE ASSISTANCE AND FOR REPORTING PETROLEUM OR HAZARDOUS MATERIALS SPILLS AND OTHER SERIOUS ACCIDENTS OR INCIDENTS

1-800-422-0798
(IN MINNESOTA ONLY)

(651) 649-5451
(TWIN CITIES METRO AREA AND OUTSIDE MINNESOTA)

Be ready to provide the following information when contacting the Minnesota Duty Officer:

ALL CALLS WILL REQUIRE

*Name of caller
*Telephone number for call-backs at the scene or facility
*Have local officials been notified of incident - Fire, Police, Sheriff
*Date, time and location of the incident

WHEN MAKING NOTIFICATIONS OF SPILLS / INCIDENTS

*Materials and quantity involved in incident
*Incident location - (physical address, nearest cross streets, sec./range, etc.)
*Responsible party of incident - (trucking firm name, property/business owner name, etc.)
*Telephone number of responsible party
*Any surface waters or sewers impacted
*What has happened or what is happening

WHEN REQUESTING STATE ASSISTANCE FOR INCIDENTS

*What kind of assistance is requested - (informational, specialized team, etc.)
*Name of the requesting agency/facility
*Materials and quantity involved in the incident
*Have all local, county, and mutual aid resources been utilized and expended?

The following resources can be accessed by contacting the Minnesota Duty Officer:

SOME OF THE STATE AGENCIES WITH RESPONSE PERSONNEL

Bureau of Criminal Apprehension
Department of Agriculture
Department of Health
Department of Natural Resources
Department of Transportation
Division of Emergency Management
Emergency Response Commission
Fire Marshal Division
Office of Pipeline Safety
Pollution Control Agency
State Patrol
And others

OTHER RESOURCES AVAILABLE

State Chemical Assessment Teams
State Emergency Response Teams
Fire Chiefs Assistance & Support Teams
American Red Cross
Search And Rescue Dogs
Civil Air Patrol
National Guard
Amateur Radio - ARES/RACES
Bomb Squad
Minnesota Voluntary Organizations Active In Disasters

OIL SPILL REPORTING FORM

(For Internal Use)

Name:_____ Telephone Number: _____

Release Location: _____

(Attach site map with leak location identified)

Duration: From _____ a.m./p.m. To: _____ a.m./p.m. Date(s): _____

Time of discover release: _____ a.m./p.m.

Material released: _____ Components: _____

Spilled to (circle all that apply): Air Drain Pond On-Site Soil Off-Site Soil
Stormwater Ditch Concrete Asphalt Pad Other: _____

Estimated quantity _____ into surface water? (circle one) YES NO

Prevailing weather conditions (e.g., wind speed and direction)_____

_____

_____

Description of release (including cause):_____

_____

_____

Corrective Actions Taken:_____

_____

_____

Could spill have been prevented? Explain:_____

_____

_____

Has the area been completely secured?	Yes No Unknown
Are there any railroad or utility companies to be notified?	Yes No Unknown
Have or will any law enforcement groups be involved?	Yes No Unknown
If local response agencies are involved, have they been informed of the product's characteristics and handling precautions?	Yes No Unknown
Were there any injuries or fatalities?	Yes No Unknown
Is this a DOT reportable release?	Yes No Unknown

Agencies Notified:

1._____ By:_____ Time:_____ a.m./p.m.

2._____ By:_____ Time:_____ a.m./p.m.

3._____ By:_____ Time:_____ a.m./p.m.

Signature: _____ Date: _____

Title: _____

APPENDIX F

RESPONSE CONTRACTORS

Minnesota Pollution Control Agency

Metro, North and South Districts, Emergency Response Unit

List of State Emergency Response Contractors

Cleanup/C1-09/October 1999

This list contains names of contractors that the state of Minnesota holds contracts with to provide environmental emergency response services. A list of services the contractors provide is listed. This list is provided for informational purposes only, it is not an endorsement, and all persons are advised to check out the capabilities and rates of contractors on their own.

Full Service Contractor Services

- 24-hour toll free telephone answering.
- 24-hour statewide response.
- Level A, B, C and D responses.
- Provide vacuum truck(s).
- Supply and deliver sorbents (booms, pads, sweeps, pillows, etc.) to responses.
- Investigate, contain, and recover spills/releases on land, including the excavation of contaminated soils.
- Investigate and mitigate petroleum vapor and product in a sanitary and/or storm sewer.
- Investigate, contain, and recover spills/releases to surface waters using containment booms, sorbents, vacuum trucks, and pumps.
- Follow established sample collection protocols.
- Collect, assess, and analyze air contaminant levels during a chemical fire, tire fire or other fire causing air contaminant concerns.
- Investigate, contain, and recover mystery spills/releases.
- Document potential criminal and/or civil investigations.
- Investigate, contain, sample, transport, and manage known and unknown abandoned wastes. Containers may or may not be leaking.
- Install, operate, and troubleshoot mechanical systems such as carbon filtration systems and explosion-proof fans.
- Arrange for transportation, storage, and proper management of wastes generated during an emergency response.
- Remedial investigation and corrective action design services for long-term cleanup sites.
- Post-remediation site monitoring.
- Site assessment and analysis.
- Coordinate and cooperate with other State contracted services agents such as laboratories and hazardous waste and pesticide disposal services.
- Industrial hygiene services.
- Medical and infectious waste containment, transport and proper management.
- Engineering services.
- Geographical Positioning System locations

Minnesota Pollution Control Agency, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194
(651) 296-6300, toll-free (800) 657-3864, TTY (651) 282-5332 or (800) 657-3864

Contractors:

Bay West Environmental
Five Empire Drive
St. Paul, MN 55103-1867

Contact: Paul Christensen
(651) 291-0456 office
(651) 291-0099 fax
(800) 279-0456 toll free

WCEC
14 Green River Road
P.O. Box 594
Morris, MN 56267-0594

Contact: Doug Stahman
(320) 589-2039 office
(320) 589-2821 fax
(800) 422-8356 toll free

WCEC
7871 Hickory Street Northeast
Fridley, MN 55432

Contact: Cory Teff
(612) 571-4944 office
(612) 571-2267 fax
(612) 980-3247 all page
(888) 544-9481 toll free

Limited Service Contractor Services

- Contain, and recover spills/releases on land, including the excavation of contaminated soils.
- Contain, and recover spills/releases to surface waters using sorbents.
- Arrange for vacuum trucks and pumps to recover spills, as necessary.
- Arrange for transportation, storage, and disposal of wastes generated during an emergency response.

Contractors:

Agassiz Environmental Systems
29385 Isabel Street
P.O. Box 412
Chisago City, MN 55013-0412

Contact: Bill Storm or John Landwehr
(612) 257-5545 office
(612) 257-1661 fax
(800) 362-7087 toll free

Beltrami Industrial Services
Route #1, Box 2506
Solway, MN 56678

Contact: Randy Forseth or LeAnn Ryan
(218) 751-7537 office
(218) 751-0236 fax

Geotek Engineering & Testing Services
909 East 50th Street North
Sioux Falls, SD 57104

Contact: Daniel Hanson or Doyle Shaff
(605) 335-5512 office
(605) 335-0773 fax
(800) 354-5512 toll free

Nova Environmental Services
1107 Hazeltine Boulevardd., Suite 400
Chaska, MN 55318

Contact: Rob Goltz or Robert Rykken
(612) 448-9393 office
(612) 448-9572 fax

Service Response & Remediation
2200 University Avenue West, Suite 110
St. Paul, MN 55114

Contact: Dale Buckholtz
(651) 659-0210 office
(651) 659-0205 fax
(800) 401-0121 toll free

To report a spill call the Minnesota Duty Officer at (651) 649-5451 or (800) 422-0798.

For more information on spill reporting, prevention, cleanup, and disposal, call the MPCA at (651) 296-6300 or (800) 657-3864 and ask for a member of the Emergency Response Team or go to the internet at or go to the Internet at:
http://www.pca.state.mn.us/cleanup/pubs/ertpubs.html

Visit the Environmental Protection Agency website for more information at: http://www.epa.gov/oilspill/

Equipment from the MPCA".

[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Albert Lea FD	Boom school	4/28/97	Albert Lea	1	Yes
Andover FD	Boom school	2/12/97	Andover	2	Yes
Annandale FD	Boom school	2/27/95	Annandale	0	Yes
Austin FD	Boom school	9/30/98	Austin	1	Yes
Bayport FD	Boom school	5/19/97	Bayport	1	Yes
Bemidji FD	Boom school	8/5/97	Bemidji	1	Yes
Big Lake/Beck	Boom school	6/7/97	Big Lake	1	Yes
Blandin Paper			Grand Rapi	0	No
Boy FD	Boom school	8/1/97	Boy	1	Yes
Burnsville FD	Boom school	6/29/95	Burnsville	3	Yes
Cass Lake FD	Boom school	7/21/98	Cass Lake	1	Yes
Centennial FD	Boom school	9/21/99	Centennial	2	Yes
City of Alexand			Alexandria	0	No
City of Anoka			Anoka	0	No
City of Minneto			Minnetonka	0	No
Coon Rapids F	Boom school	10/13/97	Coon Rapid	3	Yes
Cromwell/Floo	Boom school	8/3/98	Cromwell	1	Yes
Crookston FD	Boom school	6/5/97	Crookston	1	Yes
Deer River FD	Boom school	8/1/97	Deer River	1	Yes
DNR			Tower	0	No
Duluth FD	Boom school	7/2/97	Duluth	0	Yes
Eden Prairie F	Boom school	4/15/95	Eden Prairi	0	Yes
Elk River FD	Boom school	6/8/95	Elk River	1	Yes
Golden Valley	Boom school	9/13/95	Golden Vall	1	Yes
Goodhue Co.			Red Wing	0	No
Grand Marais	Boom school	8/30/99	Grand Mara	1	Yes
Grand Rapids /	Boom school		Grand Rapi	0	
Hopkins FD	Boom school	9/23/97	Hopkins	0	Yes
International Fa	Boom school	6/18/98	Internationa	1	Yes
Lake City FD	Boom school	10/29/99	Lake City	1	Yes
Little Falls FD	Boom school	9/13/94	Little Falls	1	Yes
Little Falls FD	Boom school	6/11/97	Little Falls	1	Yes
Mankato FD	Boom school	6/19/97	Mankato	1	Yes
Maple Grove F	Boom school	5/2/96	Maple Grov	2	Yes
Marshall FD	Boom school	6/17/97	Marshall	1	Yes
McGregor FD	Boom school	10/26/99	McGregor	1	Yes
Minneapolis F	Boom school	7/5/96	Minneapolis	3	Yes
Minnesota Pow	Boom school		Cohassett	1	Yes
Minnesota Pow			Duluth	0	No
Minnesota Pow			Arora	0	No
Minnesota Pow			Little Falls	0	No
MNDOT			Thief River	0	No
Monticello FD	Boom school	9/9/96	Monticello	1	Yes
Newport FD	Boom school	12/12/95	Newport	1	Yes
North Metro C	Boom school	8/15/96	Fridley	1	Yes
North Metro C	Boom school	8/5/96	Coon Rapid	1	Yes
Owatona FD	Boom school	6/8/97	Owatona	2	Yes

"Fire Departments that have received Spill Training and Boom Equipment from the MPCA".

1/20/00

Event Name	Event Type	Start Date	City	# of Seats	MPCA Attend
Plymouth FD	Boom school	4/30/96	Plymouth	1	Yes
Red Wing FD	Boom school	7/22/97	Red Wing	3	Yes
Rochester FD	Boom school	9/10/97	Rochester	3	Yes
Saint Cloud FD	Boom school	9/13/93	St. Cloud	1	Yes
Sartell FD	Boom school	1/23/97	Sartell	1	Yes
Savage FD	Boom school	5/6/97	Savage	1	Yes
Silver Bay FD	Boom school	7/17/97	Silver Bay	1	Yes
St. Cloud FD	Boom school	9/3/97	St. Cloud	3	Yes
St. Paul FD	Boom school	5/5/97	St. Paul	3	Yes
Stewartville FD	Boom school		Stewartville	0	Yes
Thief River Fall	Boom school	6/21/99	Thief River	1	Yes
Two Harbors F	Boom school	9/22/99	Two Harbor	1	Yes
Vadnais Hts. F	Boom school	5/4/98	Vadnais Ht	2	Yes
Walker FD	Boom school	8/26/97	Walker	1	Yes
Winona FD	Boom school	8/21/97	Winona	1	Yes

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APPENDIX E

PROGRAM LOCATION

Lubrication Technologies, Inc., "858" SPCC plan is located in the Facility Manager's Office. The Division Operation Manger (Golden Valley Office) has a copy of the program.

APPENDIX F

EMERGENCY NOTIFICATION TELEPHONE LIST
WHO TO NOTIFY

Contractor Notification

Check Box	Type of Contractor	Name	Phone Number
√	Primary	West Central Environmental Consultants.	Twin Cities day - (763)571-4944 Twin Cities 24 hr. - (952)980-3247 Out state 24 hr. - (320)589-2843

APPENDIX F

EMERGENCY RESPONSE COORDINATOR INFORMATION

DESIGNATION OF COORDINATOR:

	JOB TITLE	NAME	Number
PRIMARY COORDINATOR	Facilities And Project Manager	Scott Bergman	(612) 366-6369
SECONDARY COORDINATOR	Division Operation Officer	Bill Boisvert	612-290-8609
Tertiary Coordinator	Facility Manager	At Location	

Coordinator is to be contacted day or night concerning any emergency situation. This includes real or potential incidents that may adversely affect operations or the safety of personnel.

First contact the Primary Coordinator, if that person is not available, the Secondary Coordinator will be in charge. If neither of these individuals is unavailable, a Coordinator will be designated to the Facilities Manager

Additional Emergency Contacts

JOB TITLE	NAME	CELLULAR/ BEEPER #
C.O.O.	Eric Jackson	(612) 382-4023
President	Chris Bame	(612) 600-8660

When none of the above personnel are available, then the highest-ranking employee on duty shall coordinate emergency response efforts until replaced by one of the aforementioned individuals.

APPENDIX G (1)

FACILITY SELF-INSPECTION

Pursuant to section 112.7(e)(8) of the SPCC Plan regulations, each facility should conduct self-inspections and include the written procedures and records on inspections in its SPCC Plan. The inspection should include the tanks, secondary containment, and response equipment at the facility. The inspection of tanks and the secondary containment required by the SPCC regulation and records of those inspections should be cross-referenced in the response plan. Facility self-inspection requires two steps:

1. A checklist of things to inspect; and

2. A method of recording an inspection and its findings.

The date of each inspection shall be noted. These records are required to be maintained for five (5) years.

TANK AND CONTAINMENT INSPECTION CHECKLIST

The tank and containment inspection checklist presented below has been included as a guide for inspections and monitoring.

1. Check tank for leaks, specifically looking for:

    - Drip marks;
    - Discoloration of tanks;
    - Puddles of stored material;
    - Corrosion; and,
    - Cracks.

2. Check containment area for:

    - Cracks;
    - Discoloration;
    - Puddles of stored material;
    - Settling; and,
    - Gaps between tank and foundation.

APPENDIX I(1) Cont.

FACILITY SELF-INSPECTION

3. Check piping area for:

   - Drip marks;
   - Discoloration;
   - Corrosion;
   - Puddles of stored material;
   - Bowing of pipe between supports; and,
   - Evidence of stored material seepage on valves or seals.

4. Check valve condition for:

   - Drip marks;
   - Discoloration;
   - Corrosion;
   - Cracks;
   - Puddles of stored material; and,
   - Seepage on valves or seals.

5. Operation status of drainage valves.

6. Presence of stored material (standing liquids).

Appendix G (2)

Aboveground Storage Tank & SPCC Inspection

Substance Transfer Areas

Transfer Area #1 – East Rail Car Unloading

Items, Equipment or Areas to be Inspected	Deficiencies Noted (Yes/No)	Corrective Actions Taken (If Necessary)
Check the Connection Points for Covers.		
Check the Ground Around Building, Between Tracks, and Surrounding Areas (surface staining, standing precipitation, etc.)		
Check the Fire Extinguishers and Spill Control Materials in Building (sufficient materials, extinguisher intact and sound)		
Check Hoses and Drip Catch Pans (condition of hoses for cracks/damage, caps for hoses petroleum/precipitation in pans		
Check for Miscellaneous Drips, Stains and/or Leaks		

Transfer Area #2 – South Bulk Truck Loading/Unloading inside building

Items, Equipment or Areas to be Inspected	Deficiencies Noted (Yes/No)	Corrective Actions Taken (If Necessary)
Check for Leak/Drips from Valves, Pipes or Hoses		
Check the Concrete Pad and Surrounding Areas (surface staining, contamination, etc.		
Check the Fire Extinguishers and Spill Control Materials in Building (sufficient materials, extinguisher intact and sound)		
Check for Miscellaneous Drips, Stains and/or Leaks		

Containment Areas

Note: Any observed accumulation of precipitation in any containment area must be removed as soon as possible. Precipitation should be inspected for visible contamination such as oil sheen, sludge, etc. Any contamination must be removed with absorbents prior to discharging the precipitation. If this cannot be done, then the material in question may not be pumped onto the ground, but rather into drums for proper disposal.

Containment Area #1 – Inside Bulk Tank Containment Area #2 Outside Diesel Tank

Items, Equipment or Areas to be Inspected	Deficiencies Noted (Yes/No)	Corrective Actions Taken (If Necessary)
Check the Containment Structure (cracks, chips, erosion, etc.)		
Check the Inside of the Containment (staining, precipitation, product, etc.)		

Tanks & Piping

Tank Area #1 – Diesel Tank

Items, Equipment or Areas to be Inspected	Deficiencies Noted (Yes/No)	Corrective Actions Taken (If Necessary)
Check the Tank (damage, corrosion, rust, staining, etc.)		
Check for Proper Labeling of both Piping and Tanks		
Check the Associated Pumps, Piping and Valves (damage, leaks, etc.)		

Tank Area #2 – Indoor Tanks (Large) and Dispensing Area (pumps)

Items, Equipment or Areas to be Inspected	Deficiencies Noted (Yes/No)	Corrective Actions Taken (If Necessary)
Check the Tanks (damage, corrosion, rust, staining, etc.)		
Check for Proper Labeling of both Piping and Tanks		
Check the Associated Pumps, Piping and Valves (damage, leaks, etc.)		

Miscellaneous Areas

Indoor and outdoor Dock Areas & Warehouse Area

Items, Equipment or Areas to be Inspected	Deficiencies Noted (Yes/No)	Corrective Actions Taken (If Necessary)
Check the Storage Racking (damage, broken pallets, connections etc.)		
Check for Spills, Stains, Leaks		

Blank intentially

APPENDIX I
REGULATORY EMERGENCY NOTIFICATION TELEPHONE LIST
WHO TO NOTIFY

Notification

Check Box	Organization	Number
√	State Duty Officer	1-800-422-0798 Outside the metro area (651) 649-5451 Metro (651) 296-2233 Metro backup (651) 296-6300 MPCA General Information
√	Local Authorities	911
√	National Response Center Satisfies notification of 1. U.S. EPA 2. U.S. Coast Guard	1-800-424-8802 (214) 655-2222 (get report number from the officer) (319) 524-7511
√	Chemtrec Chemical Transportation Emergency Center (Chemtrec)	1-800-424-9300

858 (ST. PAUL) FACILITY LUBE-TECH
Off PREMISE SPILL RESPONSE
(Revised 3-22-09)

LUBE DRIVERS

I. Shut Down Equipment i.e. valves, engine, power tank off, etc. Remove ignition sources from immediate area.

II. Evaluate Spill:

A. Determine whether the spill can be contained

B. Call to notify of spill and whether assistance is required. Driver will determine whether 911 assistance is required.

1. Dispatch

(a) Primary Dispatch: Joe Carlin (Cell 763-238-9695)
(b) Secondary: DelRay Hollingsworth (Cell 612-366-6401)
(c) Tertiary: Tom Neuman (Warehouse Manager) 651-775-0962

2. If assistance is needed, Dispatch will notify West Central Environmental Corporation (WCEC) and drivers in immediate area for assistance.

II. **Use Trucks Spill Kit** contents to stop lube/oil spread.

(a) **Spill Coordinator:**

PRIMARY: Scott Bergman (612) 366-6369, or if not available,

SECONDARY: Bill Boisvert (612)-290-8609

i. Inform Dispatch of Below Information

Amount Released	
Extent of Spill	
Substance	
Location	

III. **Immediately restrict oil flow from entering storm sewer** with truck's absorbents around storm sewers, ponds, etc.

IV. **If Applicable, Instruct nearby customer employee** to inform customer's office of spill

V. **Protect the people and the environment:** Continually assess situation for oil flow and quantity of spill to sewers, other waterways, and general oil spread. Recheck absorbents around storm sewer drains to restrict oil flow. Consider distance to increase surface area due to limited absorbents.

VI. **Meet Emergency Responders** i.e. **Incident Commander** (Fire Chief), Police, Department, West Central Environmental) and provide update status of the Material Spilled.

VII. **Once mitigation is complete**, obtain the information or documentation request by the Coordinator for reporting purposes.

VIII. **Obtain names of individual who helped and witnesses**

Name of Witness	Phone Number
1.	
2.	
3.	
4.	

IX. **Inform Dispatch of progress** during spill control and clean up until company representative arrives. Assist in incident reporting.

858 (ST. PAUL) FACILITY LUBE-TECH
(Revised 3-22-09)
LUBE SPILL RESPONSE

I. **Shut down equipment ie** valves, motor, etc. and/or neutralize leak.

II. **Inform Facility Manager** or Person In Charge

A. Tom Neuman (Warehouse Manager) 651-775-0962, if not available
B. Joe Carlin (Dispatch Manager) 763-238-9659
C. Scott Bergman cell (612) 366-6369

III. **Facility Manager**

A. Assess situation

Less than 20 gallons –

i. Use Spill Kit contents to minimize Lube/Oil/Glycol spread.

ii. Clean up Spill

iii. Report spill to Spill Coordinator

Greater than 20 gallons -

(i) **Determine if West Central Environmental Consultants or 911 are needed.**

(ii) **Call and direct Dispatch to notify either 911 where spill is likely to enter the storm sewer and/or WCEC**

1. **Warehouse Manager:** Tom Neuman 651-775-0962

2. **Either 911 and WCEC** as directed for assistance @ 612-531-9481 or 24 hours 612-980-3247, and

3. **Call Spill Coordinator:**

PRIMARY: Scott Bergman or (if not available)	(612) 366-6369
SECONDARY: Bill Boisvert	(612)-290-8609

B. **Activate Spill Team** (Warehouse Personnel) to the "Will Call Desk"

1. **Brief Team of substances spilled/leaking**

2. **Dispatch Team to spill site with Spill Kit and Equipment to control spread of product.**

3. **Minimize lube/oil spread: Apply absorbent socks, etc.** around storm sewers, drains, building/containment openings, etc. Use Plug equipment with a Rail Car leak if needed.

C. **Determine whether to evacuate** the facility.

1. If evacuation is necessary - announce over intercom to evacuate Bldg to designated location.

D. **Inform Spill Coordinator periodically of Progress during the Spill Control Response.**

E. **Redirect Spill Response Team to reassess storm sewer location(s)** for additional absorbents if **Emergency Services** have not arrived. If necessary re-apply booms, floor dry, dirt to prevent spilled product from entering sewer.

F. **Meet Emergency Responders** i.e. **Incident Commander** (Fire Chief), Police, Department, West Central Environmental) and Inform of the Material Spilled.

G. Obtain names of individual who helped and witnesses, if any.

Name of Witness	Phone Number

H. **Once Spill mitigation is complete,** obtain the information or documentation request by the Spill Coordinator for reporting purposes.

I. Coordinate with Spill Coordinator WCEC's or the facility's Spill Team cleanup activities, if appropriate.

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APPENDIX K (1)

REPORTING GUIDELINES OF SPILLS IN EXCESS OF 1000 GALLONS

Per 40 CFR part 112.4 within 60 days after an incident resulting in the discharge of **more than 1,000 gallons of petroleum product into or upon navigable water or shorelines in a single event, or two reportable petroleum product spill events within 12 months**, a written report must be submitted to the Regional Administrator of the U.S. EPA including the following information.

I. Name, address, and telephone number of facility.

- A. Name of the owner or operator of the facility
- B. Date and year of initial operation
- C. Maximum storage or handling capacity of the facility and normal daily output
- D. Description of the facility, including maps, flow diagrams, and topographical maps
- E. A complete SPCC Plan with amendments
- F. Date, time, and cause of incident including a failure system analysis in which the failure occurred
- G. Name and quantity of waste material(s) involved.
- H. Extent of any injuries.
- I. Assessment of actual/potential hazards to human health or the environment.
- J. Estimated quantity and disposition of recovered waste material resulting from the incident.
- K. Corrective action and/or countermeasures taken including an adequate description of equipment repairs and/or replacement
- L. Additional preventive actions taken

II. Written reports must be submitted to the following address:

Environmental Protection Agency (EPA):
West Jackson Boulevard
Chicago, IL 60604

with a copy to

Minnesota Pollution Control Agency (MPCA)
Hazardous Waste Division
Tanks and Emergency Response Section
520 Lafayette Road
St. Paul, MN 55155-4194

APPENDIX K
Lube-Tech
Spill Documentation Form

(for internal use)

Date: _____ **Time:** _____am / pm

Product Spilled: _____ **Estimated Volume:** _____ **Estimated by:** _____

Spill Address (if applicable): *or*

Customer	Facility Location
Street	
City	
Telephone	

Situation Assessment: (risks to people, environment, waterways or sewers, property damage, etc.)

Immediate actions taken at site (protection of life, environment, property)
List other people engaged in the response actions, if any.

	Yes	No	Unknown	N/A
Has the area been completely secured?				
Are there any railroad or utility companies to be notified?				
If local response agencies are involved, have they been informed of the product's characteristics and handling precautions?				
Were there any injuries or fatalities?				
Is this a DOT reportable release?				

Minnesota Pollution Control Agency - Duty Officer notified?
Metro - (612)649-5451, Outside Metro - 1-800-422-0798
YES / NO (circle one) Time contacted: _____am / pm Date:_____
Name of Person Contacted: _____

Emergency 911 called? YES / NO (circle one) Time contacted: _____am / pm Date:_____

Outside Contractor called?
West Central Environmental Consultants
- Twin Cities, daytime, (612)531-9481
- Twin Cities, 24 hours, (612)980-3247
- Out State, 24 hours, (320)589-2843

YES / NO (circle one) Time contacted: _____am / pm Date:_____

Customer / Residents / Neighbors notified? (List contacts and times notified)

_____

_____

Chain-of-Command Notification:

Dispatch and/or local facility manger	Time contacted: _____am / pm	Date:_____
Facility's Manager	Time contacted: _____am / pm	Date:_____
Division Operation Officer	Time contacted: _____am / pm	Date:_____
OECS, Inc.	Time contacted: _____am / pm	Date:_____

Follow up actions: (status reporting, prevention learning, responsible parties, etc.

_____

_____

The above has been reviewed and approved:

_____ _____ _____

Manager Date Time

West Central Environmental Consultants

14 Green River Road • P.O. Box 894 • Morris, MN 56267-0894
(612) 589-3039 or 1-800-423-8356 • Fax: (612) 589-3514

RE: Agreement to Provide Spill Response Services

This letter is to confirm that West Central Environmental Consultants, Inc. (WCEC) will provide personnel and equipment as needed to respond to spills of oil (petroleum products) or hazardous materials for the above referenced company, and/or delivery vehicles associated with the facility.

In the event of a spill, WCEC agrees to provide response services in accordance with the current contractual agreement between Minnesota Petroleum Marketers Association (MPMA) and WCEC. If spill response services of WCEC are employed, these services will be billed direct to your company based on the most current published WCEC Spill Response rate sheet. This agreement is valid for all MPMA members who have provided the MPMA with adequate proof of insurance.

This agreement by WCEC to provide spill response services is valid as long as your company remains a participant in the MPMA program.

Sincerely,

Gaylen Weisenburger
Marketing & Sales Manager

West Central Environmental Consultants

#

Standard Contract

Date 4/24/98

1. This agreement is made between

WEST CENTRAL ENVIRONMENTAL CONSULTANTS, INC. (referred to here as WCEC), a Minnesota Corporation located in Morris, MN and

Lube-TECH/Rollins Oil

Located in 900 Mendelssohn Ave. N., Golden Valley, MN 55427

(referred to here as CLIENT). Under the following terms and conditions, WCEC agrees to perform environmental services for the CLIENT as described in the proposal and scope of services dated See Item 5 , and subject to any subsequent change orders. In return, the CLIENT agrees to pay WCEC for these services in the amount and rates stated in the proposal, scope of services and/or change orders. Client clearly understands some sites may require work not covered in the proposal, scope of service. In those cases, WCEC will provide such additional services and the CLIENT agrees to pay WCEC for those services (as change orders) according to the latest Rate Schedule of WCEC.

2. Payment Schedule

The Client agrees to pay WCEC within (10) days of receipt of each invoice (monthly or otherwise), unless the contracted services are completed, in which case final payment will be due immediately upon completion of the services. A monthly service charge of 1.0% (unless otherwise specified in Other Terms of this Contract), will be added to all accounts which are not paid in full within thirty (30) days of the date of invoicing.

3. Insurance

WCEC maintains Comprehensive General Liability Insurance for it's buildings, offices, vehicles, and equipments, both owned and non-owned, as well as Worker's Compensation. Upon request, WCEC will provide certificates of insurance verifying its coverages. If CLIENT requires additional insurance coverage, WCEC shall provide such coverage at CLIENT's expense.

4. General Provisions

Certain other General Provisions apply to this contract and are listed on the backside of this contract and client understands such provisions are an important part of this entire agreement.

5. Other Terms of this Contract

This contract is an agreement that West Central Environmental Consultants will provide Emergency Spill Response Services at Time and Materials rates. It is understood that ongoing investigative work, byond the scope of the emergency spill/leak, may be subject to bidding and/or other requirements of state agencies.

West Central Environmental Consultants, Inc.

By [signature]

Its Project Manager

Address WCEC
P.O. Box 594
Morris, MN 56267-0594

Phone (320)589-2039
(800)422-8356

I have read and understand this contract, and agree to its terms.

Client Lube-Tech / Rollins Oil

By [signature]

Its Chief Operating Officer

SS# or Fed I.D.#

Address (above)

Phone 612 545-0707

An Equal Opportunity Employer

West Central Environmental Consultants

14 Green River Road • P.O. Box 894 • Morris, MN 56267-0894
(612) 589-2030 or 1-800-423-6368 • Fax (612) 589-2814

Agreement Between
Minnesota Petroleum Marketers and West Central Environmental Consultants, Inc.

This agreement between the Minnesota Petroleum Marketers Association (hereafter referred to as MPMA) of St. Paul, Minnesota and West Central Environmental Consultants, Inc. (hereafter referred to as WCEC) of Morris and Minneapolis, Minnesota relates to emergency spill response services provided to qualified MPMA members by WCEC. The effective date of this agreement is January 1, 1997.

1) WCEC agrees that it will provide 24-hour emergency spill response services to those MPMA members whose names are provided to WCEC in writing by the designated MPMA representative. In the event WCEC provides these emergency services, the individual client will be billed from the current WCEC published Spill Response Rate Schedule.

2) Those names provided to WCEC by MPMA consists of members that have obtained the appropriate insurance coverage for emergency spill response incidents, and records of insurance are on file at the MPMA office in St. Paul, MN. WCEC will also maintain and update the file as changes are submitted to WCEC by MPMA.

3) If WCEC responds to an emergency spill from a company on the list, the WCEC primary responder will notify the MPMA member that they are responsible for payment of services provided by WCEC.

4) If WCEC is requested to respond to a spill by a third party (i.e. - MPMA, State Highway Patrol, etc.), the WCEC responders will attempt to reach the designated company representative by telephone to inform them of the spill.

5) In the event an individual MPMA member on the approved list fails to pay for emergency services provided by WCEC within 60 days after invoicing, the MPMA association agrees to pay WCEC directly, and will assume the responsibility for reimbursement from the individual member.

6) The guaranteed payment provision (in item 5 above) is limited to charges generated during the first 24 hours of a spill response and will not exceed $6,000 per incident. For costs greater than this amount, or when longer periods of time are required, WCEC will make the necessary arrangements to ensure payment with the individual member.

7) Any other emergency spill response relationships (including pre-existing) between individual MPMA members and WCEC will be separate to this agreement and will be agreed upon between the individual member and WCEC.

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